

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
MAY 6, 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, here; Councilman Proctor, here; 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 May 6, 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 7:31 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 with the addition of a proclamation in recognition of Municipal Clerks Week.

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

PROCLAMATIONS:

Municipal Clerks Week – May 4, 2025 – May 10, 2025
Mayor Rubenstein read aloud the resolution. The mayor, council members, and township manager thanked the Township Clerk, Cindy Church for all she does for the township and presented her with flowers in appreciation.

Peace Officers Memorial Day – May 15, 2025
Mayor Rubenstein read aloud the resolution.

POLICE OFFICERS AWARD CEREMONY

- Good Conduct Award – PTL Derek Kuncken - 5 Years & Honorable Service Award
Good Conduct Award – Chief Guy Mariani – 5 Years with Gold Numeral “25”
Good Conduct Award – Det. Christopher Spaldo – 5 Years

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – Will send the draft of the Fair Share Plan by the end of the month. June 6th will be the Grand Opening of the CO Park All Inclusive Playground.

Mayor Rubenstein – Attended opening day and received compliments on the improvements to the park. Attended the Beef Steak dinner.

Councilwoman Franco –

- *Mets trip this Sunday is sold out. We have 8 tickets left for our Yankees Trip June 22.*
- *Spring Session #1 for Pickleball, Tennis, Golf, and Line dancing are coming to an end, and we have scheduled Spring Session #2, all flyers are out, and Brochure has been updated. All have been very well attended.*
- *The Recreation Committee will be meeting at CO Johnson for their next meeting to discuss Byram Fest 2025 and the new layout. Our next meeting will be May 13 at 7pm.*

Councilman Gallagher – The Board of Education meeting is tomorrow night.

Councilman Proctor – The Planning Board will not meet again until May 19th.

Councilman Roseff – Met with the Forest Lakes Board about Forest Lakes Drive being recognized as a road. Met with the manager and police chief about the future purchases of police cars.

PUBLIC PARTICIPATION I

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

Andrew Schwartz – asked if he can participate in the discussion on light nuisance toward the end of the meeting.

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

APPROVAL OF MINUTES

April 15, 2025, Regular & Closed Session Meeting Minutes - Councilwoman Franco, second 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. Approval of Raffle License & 50/50 for Lenape Valley Jr. Football & Cheerleading Program Inc. – June 6, 2025
Byram Fire Department & Offsite Raffle June 1, 2025 – September 5, 2025 (Drawing on September 5, 2025)
- B. Approval of 50/50 Raffle License for Sussex County Arts and Heritage Council – Byram Fire House, June 13, 2025
- C. Resolution No. 089-2025 - Resolution Authorizing the Issuance of Not Exceeding \$721,100 Bond Anticipation Notes of The Township of Byram, In The County of Sussex, New Jersey.
- D. Resolution No. 090-2025- Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – 93 Route 206
- E. Resolution No. 091-2025 – Resolution of Acceptance of Donation for Recreation Fishing Program – June 8, 2025
- F. Resolution No. 092-2025 – Authorization to Trim and Remove Various Trees at Tamarack Park Utilizing Open Space Trust Fund

	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 – May 6, 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	Recuse PO # 30481	x
No					
Abstain					
Absent					

ORDINANCE – 1st Reading / Introduction

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM AMENDING CHAPTER 240 ENTITLED “ZONING” TO AMEND THE CHECKLIST FOR COMPLETENESS, TO MODIFY THE REQUIREMENTS FOR AIR CONDITIONING UNITS AS ACCESSORY STRUCTURES AND TO AMEND CHAPTER 215 ENTITLED “SUBDIVISION AND SITE PLAN REVIEW” AND CHAPTER 240 ENTITLED “ZONING” TO REPEAL AND REPLACE ALL REFERENCES TO THE ARCHITECTURAL REVIEW COMMITTEE AND ARC

Purpose Statement: The purpose of this ordinance is to amend Chapter 240 entitled “Zoning” to update the checklist, to modify the requirements for air conditioning condensers as accessory structures and to amend Chapters 215 and 240 to repeal and remove all references to the “Architectural Review Committee” and “ARC” and to confirm that the Planning Board itself is replacing the Architectural Review Committee, and the Planning Board will carry out any prior functions, powers and authorizations of the Architectural Review Committee.

	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 May 20, 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.

AN ORDINANCE TO AUTHORIZE SALE OF PUBLIC PROPERTIES NOT NEEDED FOR PUBLIC USE TO THE HIGHEST BIDDER

PURPOSE STATEMENT: The purpose of this ordinance is to authorize the Mayor and Council of the Township of Byram to convey Township owned properties to the highest bidder because they are not needed or required for public use.

	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 May 20, 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.

AN ORDINANCE TO AUTHORIZE SALE OF NON-CONFORMING TOWNSHIP OWNED PROPERTIES NOT NEEDED FOR PUBLIC USE TO CONTIGUOUS PROPERTY OWNERS

PURPOSE STATEMENT: The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to convey non-conforming contiguous Township owned properties to respective contiguous property owners, because they are not needed or required for public use.

	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 May 20, 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

A. Light Nuisance – Andrew Schwartz spoke in support of a light nuisance ordinance and presented the council with pictures of the light from the neighbor’s house protruding on and in his home. He also read a statement he prepared.

Light pollution is the excessive or inappropriate use of outdoor artificial light. There are three kinds of light pollution: glare, clutter, and light trespass.

Glare is excessive brightness that can cause visual discomfort (for example, when driving at night, or in our case, walking through our kitchen).

Clutter is bright, confusing, and excessive groupings of light sources (for example, Times Square in New York City, New York).

Light trespass is when light extends into an area where it is not wanted or needed. In our case, it's our neighbor's outdoor lights flooding not only our patio and backyard, but also the inside of our house.

An increased amount of light at night lowers melatonin production, which results in sleep deprivation, fatigue, headaches, stress, anxiety, and other health problems. Excessive illumination also invades privacy.

Studies show that light pollution is also impacting animal behaviors, such as migration patterns, wake-sleep habits, and habitat formation. Because of light pollution, birds guided by moonlight during migration get confused, lose their way, collide with buildings, and often die. Large numbers of insects are also drawn to artificial lights and are instantly killed upon contact with light sources. Many cities have adopted a "Lights Out" program to turn off building lights during bird migration.

More people are taking action to reduce light pollution and bring back the natural night sky.

In addition, light pollution negatively impacts bats by disrupting their natural behaviors, reducing their activity, and potentially causing displacement from suitable habitats. Light pollution disrupts foraging as it makes it harder for bats to navigate and locate prey. Artificial light can interfere with bats' natural sleep-wake cycles, affecting their overall health. As such, light pollution can indirectly cause habitat loss by encroaching into areas that bats rely on for foraging and roosting.

Why should we care about bats? A little brown bat can consume up to 1,000 mosquitoes in a single hour. A colony of bats can consume millions of mosquitoes per night. I have read that bats can eat about half of their body weight in insects a night. So, even if bats don't just eat mosquitoes, and consuming up to 1,000 mosquitoes in an hour may not always be achieved, they're still consuming a good amount of them. Additionally, there is some evidence that the presence of bats does cut down on mosquito reproduction. Studies have found that areas with bats have fewer mosquito eggs. Female mosquitoes who had just taken a blood meal before laying eggs are slower in flight, bigger, and easier to catch. Having a bat colony in the area is a natural way to manage the mosquito population.

We used to have a small bat colony living in the area. I used to love to watch them forage while sitting on my patio. But since my neighbor started adding additional and intensely bright lights, I haven't seen one bat. Without natural predators, more people will resort to chemical repellents, which have an adverse effect on the environment, especially beneficial insects like pollinators. Let's keep in mind that chemicals used in mosquito sprays aren't usually safe for humans and pets either and are a one-time solution that requires repeated applications. We need to protect our environment.

Light pollution should be managed responsibly to minimize its negative impact on the environment, human health, and overall quality of life. This should involve using artificial light wisely and effectively, rather than over-illuminating areas and causing unnecessary glare and skyglow.

Without any controls in place, every backyard in Byram can potentially soon look like the backyard in the pictures we have shared with you.

The majority of the Township Council are in support of an ordinance for light nuisance.

- B. Annual Report – Buffering on Lakefront Properties – The Planning Board requires 10 ft. vegetation buffer to lake front properties that the Planning Board does many variances on. The council recommends variances to be continued on a case-by-case basis. Councilman Roseff will discuss with the Environmental Commission.
- C. Byram School Request for Distress Tax Increase – Councilman Roseff read the following into record and is looking to pass resolution stating 7% is not acceptable.

I wanted to bring this subject up to not just the Council's attention, but also the public's as there is little attendance at the Byram BOE meetings. Their meetings are structured to not well meet expected public communication norms.

Also, instead of the promise in March of a 2% tax increase, the Byram BOE may tomorrow night switch the proposed budget to a new one that has a 7% tax increase.

I'll present some thoughts, timelines and data that define my concerns:

- 1. From the mid 2000s to 2017, it was the State that decided to not to lower its funding because school enrollment dropped.
- 2. Byram's enrollment dropped about one third during this period.
- 3. After 2017, the State reduced its funding incrementally over 7 years to end its prior practice of funding 'empty seats'.
- 4. Now the State is allowing BOEs to tax our taxpayers above the cap because the State once chose to fund 'empty seats'.

Looking at the past 2 years:

- 5. Last year, the BOE switched voting dates to April 2024 to game the electorate for a tax request above the cap limit. Even so, voters overwhelmingly defeated it.
- 6. The State then swiftly changed the law and the BOE ignored the vote it had called for and raised Y2024 taxes by 7%.
- 7. This year, the April vote was moved back to November.
- 8. No new Boardmembers were elected so Byram residents were denied representative government that aligned with the April 2024 NO vote on exceed the cap budgeting.
- 9. I have not been able to find a proposed budget on the BOE website, so I refer to the Township Journal March 24 article which reported the budget developed by the then Supt. would result in a 2% tax increase.
- 10. The same article reported that the Business Administrator said State funding at a 1.6% increase is "really not bad".
- 11. Just some weeks later, the district received its new Supt. and quickly a new budget was substituted that requires a 7% tax increase.
- 12. For this, the BOE sought and gained State approval that it is in distress and needs an above-the-cap tax increase.
- 13. Byram Schools' per student cost exceeds \$21,000+ and not the \$17,000 Byram Schools declared last month in a mass distribution to the public. The school system is well funded, 25% more than the BOE claims.
- 14. Byram Schools has lost one third of its enrollment since the 2000s and today has 79+ teachers for what may be 830 students.
- 15. Tomorrow night, the BOE at its meeting will discuss a budget which seeks a 7% increase where in March it was at 2%.

In conclusion, school taxes dwarf municipal taxes. Food on the table, keeping one's home, vacations, home repairs and tutored lessons chosen by parents may be just as important if not more so than the Byram Schools mantra of taxing "for the kids".

We have volatile budgeting requests for an already well funded district and a BOE willingness to disregard the public interest. I don't feel this Mayor and Council should ignore this.

The rest of the council were not in support of the resolution. Mayor Rubenstein will call the Superintendent to discuss the lack of transparency on the budget.

FUTURE AGENDA ITEMS
Forest Fire Emergency Education

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.

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

RESOLUTION

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on May 6, 2025.

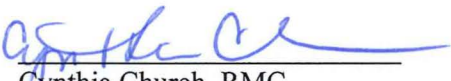
Cynthia Church, Municipal Clerk

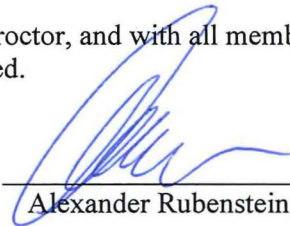
	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x	x	x	x	x
No					
Abstain					
Absent					

RETURN TO OPEN SESSION - Motion by Councilwoman Franco, second by Councilman Proctor to return to open session at 10:30 p.m. All members were in favor. Motion Carried.

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Proctor, and with all members in favor, the meeting was adjourned at 10:30 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor