

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
OCTOBER 15, 2024
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, 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, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joseph Sabatini, 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
 - LES

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 October 15, 2024.

Cynthia Church, Municipal Clerk

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

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, with the addition of Resoltion No. 177-2024, and removing reassessment extension letter discussion item.

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

PROCLAMATION – LIFE SAVE AT SHOPRITE

Mayor Rubenstein read into record letter received from LES:

Mayor Rubenstein, Council Members, & Mr. Sabatini: I write to you today to inform you of an extraordinary, multi-agency response that occurred earlier within the confines of Byram Township. This morning at 07:47, Lakeland EMS and Byram Police were dispatched by County 911 to the ShopRite of Byram for an unconscious twenty-year-old male. Within two minutes, BLS 4351 was en route, and by this time the call had been upgraded to cardiac arrest, adding Byram Fire to the call for manpower as per the protocol. The 911 caller and other ShopRite employees had begun CPR on the patient as Byram Police Officers Marin & Sedano arrived, shortly followed by the ambulance. The patient had been attached to the store's AED which subsequently had analyzed the patient and delivered the first two shocks. The patient had regained consciousness and was able to speak with responders upon their arrival. He was further able to ambulate to the stretcher with assistance following evaluation. As the EMS crew was exiting the building to load the patient into the ambulance, he lost consciousness again, becoming pulseless and breathless. Lakeland EMTs restarted CPR and delivered an additional three shocks. What made this situation extra unique is that the patient was experiencing 'CPR-induced consciousness' – meaning as long the EMTs continued CPR, they were perfusing enough bloodflow to keep the patient conscious with a carotid pulse – when CPR was stopped the patient would lose consciousness and go pulseless again. By the time the paramedics from St. Clare's had arrived to meet the BLS crew, the patient had received five shocks from the AED thus far. Care continued under the direction of the ALS unit and transport was initiated to Newton Medical Center as the closest interventional cath lab facility. Before the ambulance arrived at Newton Medical Center, the patient was alert and talking again. As it turned out, he was a forty-three-year-old male (not twenty), and a ShopRite employee. Upon coming to work this morning, he had no complaints and was going about his life like any other day. Furthermore, he was unaware of any medical history, took no medications, and had no allergies – otherwise healthy. In total the patient received nine shocks during this incident. Patient care was transferred to the Emergency Department staff, and our crew returned to town following an extensive decon and clean-up of the ambulance. In cooperation with the ShopRite employees on scene, EMS Lieutenant Jenn Vetter, EMT Craig Pellington, Fire Officer Frank Dilibetro, Police Officers Victor Marin and Todd Sedano, along with DPW Supervisor Mike Orgera all went above and beyond this morning to help save a life. We are hopeful for a very positive outcome for this patient; he received early access to care, early CPR and defib, and quick access to advanced care at the proper hospital. Staffing matters when it comes to saving lives, and today the system worked just as it should. Wishing you all a safe and enjoyable holiday weekend! Sincerely, Rourke Day

Mayor Rubenstein called all the individuals involved to receive a proclamation of appreciation. Mayor Rubenstein read the proclamation.

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

Mr. Romano, Owner of Ronetco Supermarkets (Byram ShopRite) thanked all involved in saving this mans life.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – Received LFN 2024-15 discussing the appropriation and levy cap. COLA cap is 2.5% and can be extended to 3.5%. The Township website has begun getting to update with the budget information for 2025.

Councilwoman Franco –

Debbie will be attending the PTA Truck/Treat this Friday October 18 at the Elementary Schools. She will be hosting a Recreation table with our current brochure and new flyers for some upcoming events and trips.

The trip to the Christmas Spectacular is 10 tickets away from selling out a second bus. Debbie will be taking in one bus on Dec 8 and another on Dec 15.

Debbie hosted the 2025 Ski Club parents meeting on Thursday night October 10. They had about 10 parents and have had several inquiries for this program. This program is for 5th through 12th grades and will begin January 8th for 5 consecutive Wednesdays.

Debbie is working on the Spring/Summer Brochure. She has many new and fun offerings in the planning stage and will hope for a release date of mid-December. We will bring back tennis and pickleball lessons as we have seen growth in both of those programs, we will be introducing Golf Lessons, we have secured a PGA Professional and Lake Lackawanna Golf Course for the lessons and we will have many more to offer.

Just a reminder the October Halloween Decorating Contest is in full swing, residents can register via email their name, address, and phone number to Debbie by October 25th, the Recreation Committee will go out and judge the submissions on October 29th.

Councilman Proctor – Planning Board Meeting had four residential applications and two discussion items.

Councilman Roseff – Byram Historical Society fund raiser for the Spirit of Byram is on November 22nd.

Mayor Rubenstein – Attended a meeting with Ken Fox, Chief Dewald, Lt. Mariani, Phil and Joe where they went through program notes and how the police department functions.

PUBLIC PARTICIPATION I

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

Andrew Schwarts and Isabelle Hebble - Came before the council to keep momentum with the Nuisance Code, as they feel that there has not been much movement. In addition to the noise, the neighbor is now taking down trees between the houses. They have reached out the Zoning Office to resolve the problem. They continue to be harassed by their neighbor. They just want to receive common protections as Newton provides for their residents. Mayor Rubenstein has been reviewing the Newton code with the Chief of Police. They still have more homework to do to move this forward.

Esteban Nonilla – Said that the trees on his property are being cut down because they are dying. He said that there is no issue with his music or dogs as they claim. He has had the cops come to his house 17 times and the police do not find a problem. He feels like he is the one being harassed.

Mayor Rubenstein urged both neighbors to talk with each other and come to an understanding.

Mr. Sabatini said that this is a nuisance code under the Board of Health Code including barking dogs. These codes should be enforced by the police department. He will be encouraging the enforcement of the township codes. He asks that both parties involved respect the township ordinances.

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

APPROVAL OF MINUTES

September 17, 2024, Regular Meeting Minutes - Motion by Councilwoman Franco, seconded by Councilman Proctor to approve the minutes.

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

October 1, 2024, 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
No					
Abstain					
Absent		x			

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. 170-2024 – Resolution of the Township Council of the Township of Byram Authorizing the Conveyance of Block 7 Lot 259 to Morris Habitat for Humanity for the Construction of a Low Income Single Family Residence
- B. Resolution No. 172-2024 – Resolution by the Township of Byram to Offer an Incentive Under the State Health Benefits program to Subscribers who Select Enrollment into Tiered-Network Medical Plans
- C. Resolution No. 173-2024 – Resolution of the Mayor and Council of the Township of Byram Authorizing Contracts for a Concession Pursuant to N.J.A.C. 5:34-9.4 for Limited Timber Harvest on Byram Township Open Space Parcel
- D. Resolution No. 174-2024 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 337.01 Lot 7 for Tax Year 2024 and the Cancellation of Taxes For First Half of 2025 and Refund of Taxes Paid for 3rd and 4th Quarters in 2024
- E. Resolution No. 175-2024 – Resolution Acknowledging Final Restoration of Streets in the New Jersey Natural Gas Service Territory and Identifying the Streets as Prohibited Streets as Defined by Chapter 213 Streets and Sidewalks
- F. Resolution No. 176-2024 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 337.01 Lot 98 for Tax Year 2024 and the Cancellation of Taxes for First Half of 2025 and Refund of Taxes Paid for 3rd Quarter in 2024 – 11 Braemar Court

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

RESOLUTION NO. 171-2024 – Resolution Authorizing Submittal of CY2024 Best Practices Inventory Certification Form

Motion by Councilwoman Franco, second by Councilman Proctor to adopt the resolution.

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

RESOLUTION NO. 177-2024 - AWARD OF CONTRACT A TO ROCKBORN TRUCKING & EXCAVATING TO COMPLETE MILLING AND RESURFACING ON NEWTON AVENUE AND BYRAM AVENUE AS SUBSIDY TO THE MILLING AND RESURFACING THAT IS BEING COMPLETED BY ROCKBORN TRUCKING & EXCAVATING ON BEHALF OF NEW JERSEY NATRUAL GAS FOR THE FINAL RESTORATION OF THE GAS MAIN WORK

Motion by Councilwoman Franco, second by Councilman Proctor to adopt the resolution.

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

BILL LIST – October 15, 2024 – 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
No					
Abstain					
Absent		x			

ORDINANCE – 2nd Reading / Public Hearing

- ORDINANCE NO. 017-2024 - AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE TOWNSHIP OF BYRAM CODE OF ORDINANCES TO REPEAL CHAPTER 136 – FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 136 – FLOOD DAMAGE PREVENTION; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMNISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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

BE IT RESOLVED that Ordinance No. 017-2024 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

- ORDINANCE NO. 018-2024 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM TO GRANT A DRIVEWAY EASEMENT TO MR. MARTIN EKHELAR AND MRS. CHRISTINE EKHELAR AND TO VACATE, RELEASE AND EXTINGUISH ANY PUBLIC RIGHTS IN A PORTION OF THE PAPER STREET OR RIGHT-OF-WAY LOCATED OFF LACKAWANNA DRIVE AT 70-A LACKAWANNA DRIVE PURSUANT TO N.J.S.A. 40:49-6 AND N.J.S.A. 40:67-21**
Purpose Statement: The purpose of this Ordinance is to grant a driveway easement to Mr. Martin Ekhelar and Mrs. Christine Ekhelar, and to vacate a portion of the paper street right-of-way located off Lackawanna Road at 70-A Lackawanna Drive and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

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

Yes	x		x	x	x
No					
Abstain					
Absent		x			

BE IT RESOLVED that Ordinance No. 018-2024 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ITEMS FOR DISCUSSION

CO Johnson Highlands Grant – Mr. Sabatini is looking to have a conversation regarding Highlands Grant money for CO Johnson Park and the Dog Park. Field 8 improvements are in the works (it was part of the previous scope of work), and are looking for feedback as to what direction they are moving in. Would like to have some sense of direction withing the next couple meeting. Mayor Rubenstein said there should be a conversation with the Highlands. They will need to have to review the structure and the priorities before they can have that conversation. The council will refresh themselves with the scope and will have a conversation at the November 6th meeting.

FUTURE AGENDA ITEMS

The Recreation Committee has requested an increase to their budget of \$3,000 for celebration of public events. There were no objections by the council.

Councilman Proctor would like to have a discussion on the future of the ARC Committee on behalf of the Planning Board. This will be discussed at the second meeting in November. Mr. Sabatini suggested going back to the Planning Board chairman to get a history of the creation of ARC committee, and the need of the subcommittee. The Planning Board should give directions as to where they want to go with the subcommittee.

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 October 15, 2024.

Cynthia Church, Municipal Clerk

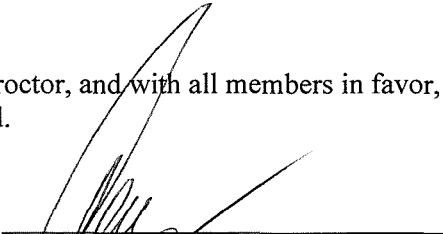
	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x		x	x	x
No					
Abstain					
Absent		x			

RETURN TO OPEN SESSION - Motion by Councilwoman Franco, second by Councilman Proctor to return to open session at 9:25 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 9:33 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor