

The Workshop Meeting of the Borough of Butler Mayor and Council was opened by Mayor Martinez who indicated that the meeting was being held in compliance with the Open Public Meetings Act having been duly advertised and posted in Borough Hall and on the Borough Website.

ROLL CALL

PRESENT: Mayor Martinez, Councilman Fox, Councilman Meier, Councilman Piccirillo and Council President Verdonik

ABSENT: Councilwoman Morley

Motion to excuse the absence of Councilwoman Morley by Fox, Second by Calvi and All In Favor.

ALSO PRESENT: James Lampmann, Borough Administrator; Robert Oostdyk, Borough Attorney and Brandi Greco, Borough Clerk.

Discussion – Privately Owned Salt Storage Ordinance - Mr. Lampmann explained the State issued a format that needs to be adhered to (distance from storm drains, tarped, etc.) so we will be preparing an amendment to our ordinance for the next meeting.

Discussion – Tree Removal Replacement Ordinance – Mr. Lampmann explained there are new requirements from the State pertaining to tree removal and replacement such as size, application fees, replacement schedule, fines, species, etc. He asked the Council for their input on fees and fines so that he can prepare an ordinance.

UNFINISHED / NEW BUSINESS

- Brandi Greco provided the details of the September 11th Memorial walk. She was contacted by GS Cadette Troop #96522 who would like to participate in the event. Council agreed they should lead the attendees in the Pledge of Allegiance this year. Our usual bagpiper is not available, so Mrs. Greco reached out to the American Legion and VFW for someone to play TAPS. Mrs. Greco also asked for confirmation on who would be attending and walking.

CLOSED SESSION

R 2023-109 Resolution for Motion to meet in Executive Session – Tax Appeal

Moved: Piccirillo

Second: Fox

All in favor

We returned to Open Session by a Motion from Verdonik, Second by Piccirillo and all in favor. All Council members approved the proposed tax settlement.

R 2023-110 Resolution Authorizing Settlement of Tax Appeal

Moved: Piccirillo

Second: Fox

Voted Aye: Calvi, Fox, Meier, Piccirillo, Verdonik

Voted Nay: None

Absent: Morley

OPEN PUBLIC DISCUSSION

Mayor Martinez opened the meeting to the public.

Councilman Calvi inquired about possibilities of combining FD and TBFAS services in order to combat the lack of volunteers.

Another idea was the possibility of other incentives. Council agreed they need to come up with some ideas because we are continually losing volunteers and not getting any new ones.

Seeing no one else come forward to speak, a motion was made to close the public portion of the meeting.

Moved: Fox

Second: Piccirillo

All in favor

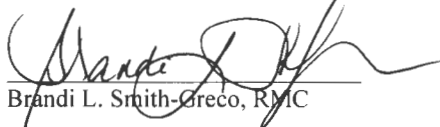
MOTION TO ADJOURN

Moved: Fox

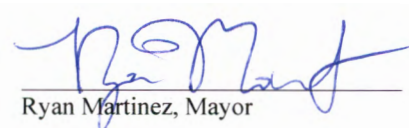
Second: Calvi

All in favor

ADJOURNMENT: 7:41 pm



Brandi L. Smith-Greco, RMC



Ryan Martinez, Mayor

Adopted: October 12, 2023

BOROUGH OF BUTLER
RESOLUTION NO. 2023-109
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler in the County of Morris, State of New Jersey, on the 5th day of September, 2023, that:

1. Prior to conclusion of the business meeting, the Borough Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):

- () B. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- () B. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- () B. (3) A matter the disclosure of which constitutes an unwarranted invasion of individual privacy.
- () B. (4) A collective bargaining agreement including negotiations.
- () B. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- () B. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure would impact such protection. Investigation of violations of the law.
- (X) B. (7) Pending or anticipated litigation or contract negotiations other than in Subsection b. (4) herein or matters falling within the attorney-client privilege. (Tax Appeal: B ~~75~~ L ~~501~~ / 70 40.03)
- () B. (8) Personnel matters.
- () B. (9) Deliberations after a public hearing that may result in penalties.

2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

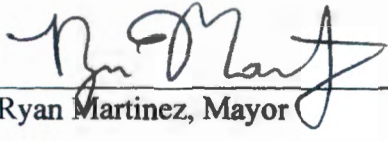
Date: September 5, 2023

Moved: *Piccirillo*

Second: *Fox*

Roll Call: *Fox, Calvi, Mele, Piccirillo, Verdine* Absent: *Monte*


Brandi L. Smith-Greco, RMC


Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTION 2023-110

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX APPEAL
(HO PROPERTIES LLC v. BOROUGH OF BUTLER – BLOCK 70, LOT
40.03)**

WHEREAS, a tax appeal has been filed in the Tax Court of New Jersey captioned “Ho Properties LLC v. Borough of Butler” challenging the 2017-2020 tax assessments on Block 70, Lot 40.03 (229 Boonton Avenue); and

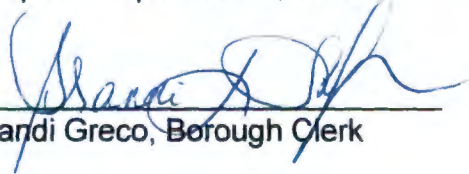
WHEREAS, the Plaintiff and the Tax Assessor have agreed to a settlement of this tax appeal as set forth in a proposed Stipulation of Settlement attached hereto; and

WHEREAS, the Borough Council finds that it is in the best interest of the Borough to approve the proposed settlement.

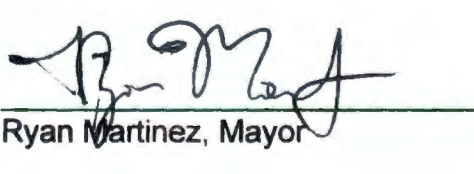
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, in the County of Morris and State of New Jersey, that the Borough Attorney is authorized to execute a Stipulation of Settlement in settlement of all pending tax appeals captioned “Ho Properties LLC v. Borough of Butler”; and be it further,

RESOLVED that the Tax Collector is hereby authorized to process any refund required as a result of the settlement of this tax appeal.

Adopted: September 5, 2023



Brandi Greco, Borough Clerk



Ryan Martinez, Mayor