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REORGANIZATION MEETING
JANUARY 2, 2013
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The Council Meeting was opened by Mayor Robert W. Alviene 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. This was followed by the Pledge of Allegiance and a Moment of Reflection.

OATH OF OFFICE

Councilman Robert Fox
Councilman Robert Meier

The Oath of Office was administered to Robert Fox by Morris County Freeholder John Cesaro.

The Oath of Office was administered to Robert Meier by Morris County Freeholder Ann F. Grossi.

ROLL CALL

PRESENT: Mayor Robert W. Alviene, Councilman Robert Fox, Councilman Robert Meier, Councilman Stephen Regis and Councilman Edwin Vath.

Absent: Councilman Sean McNear and Councilman Raymond Verdonik

Motion to excuse absence of Councilman Sean McNear and Councilman Raymond Verdonik

Moved: Vath

Second: Meier

All in favor.

Mayor Alviene noted the dignitaries in attendance Freeholders Cabana, Cesaro and Grossi. He went on to acknowledge all the hard work done by the Borough employees on a daily basis, but especially with the terrible storms, we have had over the past two years. The Mayor noted that the Borough has shown its resiliency with the strange weather we have recently had. He feels that we should be able to weather any storm; he appreciates all the work done by the employees and our hired professionals.

Councilman Fox wanted to thank the residents of Butler for reelecting him, additionally, he noted that everyone works together from the members of the Borough Council on down. I hope that this spirit of cooperation continues.

Councilman Meier would like to thank everyone for their vote of confidence as he begins his second term; he witnessed many changes during his first term and is looking forward to serving his second term.

ELECTION OF COUNCIL PRESIDENT

Councilman Fox nominated Councilman Vath, second by Councilman Regis

Voted Aye: Fox, Meier, Regis and Vath

Voted Nay: None

Absent: McNear and Verdonik

APPOINTMENTS

Borough Attorney	One year	Martin F. Murphy
Borough Engineer	One year	Paul Darmofalski
Borough Auditor	One year	David Evans & Raymond Nisivoccia of Nisivoccia & Co.
Tax Search Officer	One year	Cora Wright
Municipal Prosecutor	One year	Edward Azar
Alt. Prosecutor	One year	Nicholas Galante
Public Defender	One year	Joseph A. Affinito

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Representatives to Joint Insurance Fund – One-year term –
James Lampmann and James Kozimor
Representative to Public Power Association – One-year term –
James Lampmann
Alternate Representative to Public Power Association – One-year term –
James Kozimor
Liaison Member to Sr. Advisory Committee –
Joseph Heywang
Liaison Member to Board of Education –
Council President Vath
Liaison Member to Community Development Revenue Sharing Committee –
James Lampmann, James Kozimor and James Nargiso
Liaison Member to Clean Communities –
Councilman McNear
Liaison to Board of Health –
Councilman McNear
Representative to Morris Tomorrow –
Councilman Meier
Liaison to Museum Committee –
Councilman Verdonik
Representative to Morris County League of Municipalities –
Mayor Alviene

Motion to approve appointments

Moved: Vath

Second: Fox

Voted Aye: Fox, Meier, Regis and Vath

Voted Nay: None

Absent: McNear and Verdonik

STANDING COMMITTEES OF THE COUNCIL

FINANCIAL, ORDINANCE & RECREATION COMMITTEE

Council President Vath, Chairperson
Councilman Regis, Vice Chairperson
Councilman Fox, Member

PUBLIC SAFETY COMMITTEE

Councilman Regis, Chairperson
Councilman Fox, Vice Chairperson
Councilman Verdonik, Member

ELECTRIC LIGHT & PUBLIC LIGHTING COMMITTEE

Councilman Meier, Chairperson
Councilman McNear, Vice Chairperson
Councilman Regis, Member

WATER AND WASTEWATER COMMITTEE

Councilman Verdonik, Chairman
Councilman Meier, Chairman
Councilwoman McNear, Member

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HEALTH, SANITATION AND COMMUNITY DEVELOPMENT
COMMITTEE

Councilman McNear, Chairperson
Council President Vath, Vice Chairperson
Councilman Meier, Member

ROADS AND BUILDINGS/GROUNDS COMMITTEE

Councilman Fox, Chairman
Councilman Verdonik, Vice Chairman
Council President Vath, Member

Moved: Fox

Second: Meier

Voted Aye: Fox, Meier, Regis and Vath

Voted Nay: None

Absent: McNear and Verdonik

RESOLVED THAT THE OFFICIAL NEWSPAPERS FOR THE BOROUGH BE SUBURBAN TRENDS, HERALD NEWS, STAR LEDGER, DAILY RECORD AND BERGEN RECORD.

RESOLVED THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER HEREBY DESIGNATE THE FOLLOWING BANKING INSTITUTIONS AS DEPOSITORIES FOR MONEY BELONGING TO THE BOROUGH OF BUTLER FOR THE YEAR 2013: PNC BANK, LAKELAND STATE BANK, BANK OF AMERICA, N.J. CASH MANAGEMENT, VALLEY NATIONAL BANK

RESOLVED THAT THE FOLLOWING OFFICIALS SHALL BE AUTHORIZED TO SIGN THE DISBURSEMENT CHECKS FOR THE VARIOUS ACCOUNTS: THE ADMINISTRATOR, THE FINANCE CHAIRMAN AND THE CHIEF FINANCIAL OFFICER. ALL ACCOUNTS REQUIRE TWO SIGNAATURES, WITH THE EXCEPTION OF THE PAYROLL ACCOUNT WHICH REQUIRES ONLY THE CHIEF FINANCIAL OFFICERS SIGNATURE, THE HOSPITALIZATION ACCOUNT WHICH REQUIRES ONLY THE CHIEF FINANCIAL OFFICERS SIGNATURE, AND THE COURT ADMINISTRATORS ACCOUNT WHICH REQUIRES THE COURT ADMINISTRATORS SIGNATURE.

RESOLVED THAT THE FOLLOWING SURETY BONDS BE SECURED AND THE BOROUGH PAY ALL CHARGES FOR THE BONDS REQUIRED BY BOROUGH OFFICIALS: Tax Collector/Utility Supervisor \$406,000; Clerk Typist/Tax Collectors Office \$110,000; Magistrate \$18,000; Court Administrator \$100,000; Chief Financial Officer \$90,000; Public Employees Blanket \$25,000 per occurrence (excluding Tax Collector/Utility Supervisor, Magistrate, Court Administrator and Chief Financial Officer).

RESOLVED THAT THE COLLECTOR OF TAXES FOR THE BOROUGH OF BUTLER IS HEREBY AUTHORIZED TO CONDUCT THE ANNUAL SALE OF DELINQUENT TAXES AND OTHER MUNICIPAL CHARGES DUE ON A GIVEN PROPERTY COVERING ANY NUMBER OF QUARTERS AND PERMITS A MAXIMUM FEE OF \$25 FOR MAKING OF NOTICE OF TAX SALE FOR EACH OF TWO WEEKS PRECEDING THE DATE OF THE TAX SALE.

RESOLVED THAT THE GOVERNING BODY MAY FIX THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DATE THEY WOULD BECOME DELINQUENT, AND MAY PROVIDE THAT WITHIN THE TENTH CALENDAR DAY FOLLOWING THE DATE UPON WHICH THE SAME BECAME PAYABLE, THE RATE SO FIXED

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SHALL NOT EXCEED 18% PER ANNUM ON ANY AMOUNT IN EXCESS OF \$1,500 TO BE CALCULATED FROM THE DATE THE TAX WAS PAYABLE, UNTIL THE DATE OF THE ACTUAL PAYMENT. THE INTEREST TO BE CHARGED A DELINQUENT TAXPAYER FOR NON-PAYMENT OF REAL PROPERTY TAXES SHALL BE AN ADDITIONAL PENALTY OF 6% IF THE AMOUNT OF DELINQUENCY IS IN EXCESS OF \$10,000 AT THE END OF A CALENDAR YEAR

RESOLVED THAT THERE IS HEREBY IMPOSED A SERVICE CHARGE OF \$27.00 PER CHECK OR OTHER WRITTEN INSTRUMENT WHICH SHALL BE ADDED TO ANY ACCOUNT OWING TO THE BOROUGH IF PAYMENT TENDERED ON THE ACCOUNT WAS BY A CHECK OR OTHER WRITTEN INSTRUMENT WHICH WAS RETURNED TO THE BOROUGH FOR INSUFFICIENT FUNDS. THE SERVICE CHARGE AUTHORIZED BY THIS RESOLUTION SHALL BE COLLECTED IN THE SAME MANNER PRESCRIBED BY LAW FOR THE COLLECTION OF THE ACCOUNT FOR WHICH THE CHECK OR OTHER WRITTEN INSTRUMENT WAS TENDERED.

RESOLVED, THAT THE TAX COLLECTOR IS PERMITTED TO PROCESS CANCELLATIONS OF PROPERTY TAX REFUNDS OR DELINQUENCIES OF LESS THAN \$10.00 WITHOUT FURTHER ACTION OF THE GOVERNING BODY IN ACCORDANCE WITH CHAPTER 82, PUBLIC LAW OF 1987, KNOWN AS N.J.S.A. 40A:5-017.1.

RESOLVED, THAT THE SALARIES OF THE BOROUGH EMPLOYEES AND PAID OFFICIALS OF THE BOROUGH BE PAID EVERY TWO WEEKS FOR THE YEAR 2013 AND THAT THE CHIEF FINANCIAL OFFICER BE AUTHORIZED TO SIGN PAYROLLS ON BEHALF OF THE MAYOR AND COUNCIL AND HE BE AUTHORIZED TO ISSUE THE NECESSARY CHECKS.

RESOLVED THAT THE REGULAR MEETINGS OF THE COUNCIL BE HELD ON: January 15, February 19, March 19, April 16, May 21, June 18, July 16, August 20, September 17, October 15, November 4 (Monday) and December 17, 2013. BE IT FURTHER RESOLVED, THAT THE FOLLOWING ORDER OF BUSINESS SHALL BE ALLOWED AT THE MEETINGS: 1. ROLL CALL; 2. APPROVAL OF MINUTES; 3. GREETING OF PUBLIC AND INVITATION FOR DISCUSSION; 4. REPORTS OF COMMITTEES AND DEPARTMENT HEADS; 5. APPROVAL OF VOUCHERS AND PAYROLLS; 6. PRESENTATION OF CORRESPONDENCE, PETITIONS; 7. PUBLIC HEARINGS; 8. ORDINANCES FOR INTRODUCTION; 9. ORDINANCES FOR ADOPTION; 10. RESOLUTIONS; 11. UNFINISHED BUSINESS; 12. INVITATION FOR DISCUSSION FROM PUBLIC; 13. ADJOURNMENT

The above listed resolutions were approved by one motion:

Moved: Regis

Second: Fox

Voted Aye: Fox, Meier, Regis and Vath

Voted Nay: None

Absent: McNear and Verdonik

R 2013-1 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH AUDITOR

Moved: Fox

Second: Regis

Voted Aye: Fox, Meier, Regis and Vath

Voted Nay: None

Absent: McNear and Verdonik

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R 2013-2 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH ENGINEER

Moved: Regis Second: Meier
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None
Absent: McNear and Verdonik

R 2013-3 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH ATTORNEY

Moved: Fox Second: Regis
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None
Absent: McNear and Verdonik

R 2013-4 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BOND
COUNSEL

Moved: Vath Second: Regis
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None
Absent: McNear and Verdonik

R 2013-5 RESOLUTION PROVIDING FOR AN AGREEMENT WITH DMC

Moved: Fox Second: Meier
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None
Absent: McNear and Verdonik

R 2013-6 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BETTS &
HOLT

Moved: Vath Second: Fox
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None
Absent: McNear and Verdonik

R 2013-7 RESOLUTION PROVIDING FOR AN AGREEMENT WITH
ANDERSON & DENZLER

Moved: Regis Second: Fox
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None
Absent: McNear and Verdonik

R 2013-8 TEMPORARY BUDGET FOR 2013

Moved: Fox Second: Meier
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None
Absent: McNear and Verdonik

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public for discussion.

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Seeing no one come forward the public portion of the meeting was closed.

Moved: Fox
All in favor.

Second: Vath

Motion to adjourn the reorganization meeting.

Moved: Fox
All in favor.

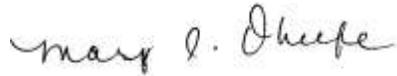
Second: Regis

Adjournment: 6:27 p.m.

Adopted: February 19, 2013



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: 2/19/2013

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**BOROUGH OF BUTLER
RESOLUTION R 2013-1
RESOLUTION PROVIDING FOR AN AGREEMENT
WITH THE BOROUGH AUDITOR**

WHEREAS, the Borough of Butler has a need to acquire auditing services as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by a purchase order on an as needed basis in accordance with N.J.A.C. 5:30-5.4; and

WHEREAS, Nisivoccia & Company, has submitted a proposal dated November 19, 2012 indicating that they will provide the auditing services as follows:

Classification	Rate
Partner (Discounted Rate)	\$120
Manager	110
Supervisor	100
Senior Accountant	90
Staff Accountant	70

WHEREAS, Nisivoccia and Company has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the auditor from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Nisivoccia and Co, as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

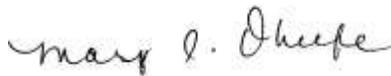
BE IT FURTHER RESOLVED a notice of this action shall be printed once in the legal newspaper of the Borough of Butler

Approved: January 2, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2013

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BOROUGH OF BUTLER
RESOLUTION R2013-2
RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH ENGINEER

WHEREAS, the Borough of Butler has a need to acquire engineering services as a professional service without obtaining competitive bids or quotations pursuant to the provisions of NJSA 19:44A-20.5 and

WHEREAS, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by purchase order on an as needed basis in accordance with NJAC 5:30-5.4; and

WHEREAS, the term of this contract is one year; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, Darmofalski Engineering Associates, Inc. has submitted a proposal dated November 29, 2012 indicating they will provide the engineering services as follows:

Professional Engineer	\$120/hr
Design/Drafting	70/hr
Field Inspector	70/hr
Outside Contractor	Cost + 15% Adm Fee

WHEREAS, Darmofalski Engineering Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the engineer from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Darmofalski Engineering Associates, Inc. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

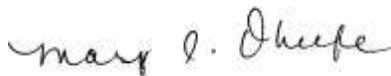
BE IT FURTHER RESOLVED a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved: January 2, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2013

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BOROUGH OF BUTLER
RESOLUTION R2013-3

RESOLUTION PROVIDING FOR
AN AGREEMENT WITH THE BOROUGH ATTORNEY

WHEREAS, the Borough of Butler has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-A-20.5 or 20.5 as appropriate; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, Martin F. Murphy has submitted a proposal dated December 27, 2012 indicating they will provide the legal services for an annual retainer of \$38,000 and matters of litigation at a rate of \$145 per hour; and

WHEREAS, Martin F. Murphy has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the attorney from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Finance Officer has certified that funds are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Martin F. Murphy as described herein; and

BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

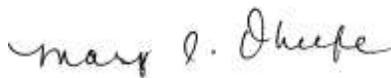
BE IT FURTHER RESOLVED that this Resolution shall take effect upon publication in the Suburban Trends.

Approved: January 2, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2013

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BOROUGH OF BUTLER
RESOLUTION R2013-4
RESOLUTION PROVIDING FOR AN AGREEMENT
WITH BOND COUNSEL

WHEREAS, the Borough of Butler has a need to acquire specialized legal services in connection with the authorization and the issuance of bonds or notes of the Borough of Butler in the County of Morris, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 44A-20.5; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,400; and

WHEREAS, the term of this contract is one year; and

WHEREAS, Robert Beinfeld, Esq. has submitted a proposal dated December 26, 2012 indicating they will provide the legal services for as attached; and

WHEREAS, Robert Beinfeld, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit Robert Beinfeld, Hawkins Delafield & Woods from making any reportable contributions through the term of the contract; and

WHEREAS, the CMFO has certified that funds are available for this purpose; and
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Hawkins, Delafield and Woods as described herein; and

BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

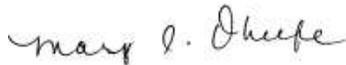
BE IT FURTHER RESOLVED a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved: January 2, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION R2013-5
RESOLUTION PROVIDING FOR AN AGREEMENT
WITH DMC ASSOCIATES, INC.

WHEREAS, the Borough of Butler has a need to acquire surveying services as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-2.5; and; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, Robert Cigol has submitted a proposal dated January 3, 2013 for surveying and tax map services indicating they will provide the surveying service with the following:

Field Crew	\$160.00 per hour
Professional Land Surveyor (PLS) Survey Analyst	90.00 per hour
Survey Tech/AutoCAD Tech	65.00 per hour
Deed Research	22.00 per hour

Fee for tax map services for year 2013 - \$4000.00 payable in two installments March and September 2013.

WHEREAS, Robert Cigol has completed and submitted a Business Entity Disclosure Certification that he has not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the surveyor; from making any reportable contributions through the term of the contract; and

WHEREAS, the CMFO has certified that funds are available for this purpose; and

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Butler authorized the Mayor and Borough Clerk to enter into a contract with DMC Associates, Inc. as described herein; and

BE IT FURTHER RESOLVED, that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

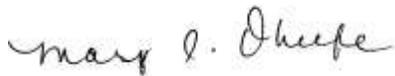
BE IT FURTHER RESOLVED, a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved: January 2, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2013

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BOROUGH OF BUTLER
RESOLUTION R2013-6
RESOLUTION PROVIDING FOR AN AGREEMENT
WITH BETTS & HOLT

WHEREAS, the Borough of Butler has a need to acquire legal services in power supply matters and with legal services provided to the Public Power Association as a professional service without obtaining competitive bids or quotations pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by purchase order on an as needed basis in accordance with NJAC 5:30-5.4; and

WHEREAS, Betts & Holt has submitted a proposal dated December 26, 2012 indicating they will provide the services as follows:

Partners	\$320 an hour
Of Counsel	315 an hour
Associates	180 an hour
Legal Assistants	90 an hour

WHEREAS, Betts & Holt has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the attorney from making any reportable contributions through the term of the contract;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Betts & Holt as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

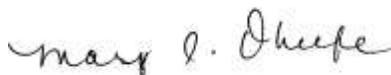
BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved: January 2, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2013

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BOROUGH OF BUTLER
RESOLUTION R2013-7
RESOLUTION PROVIDING FOR AN AGREEMENT
WITH ANDERSON & DENZLER ASSOCIATES, INC.

WHEREAS, the Borough of Butler has a need to acquire engineering services in the water utility as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by purchase order on an as needed basis in accordance with N.J.A.C. 5:30-5.4; and

WHEREAS, Anderson & Denzler has submitted a proposal dated December 1, 2012 indicating they will provide the engineering services as follows:

Principal Engineer	\$156.00 per hour
Professional Engineer	143.00 per hour
Engineer	101.00 per hour
Sr. Designer	108.50 per hour
Land Surveyor	116.00 per hour
Design Draftsman	86.00 per hour
Inspector	82.00 per hour
Draftsman	62.00 per hour
2-man field crew	165.25 per hour
3-man field crew	192.00 per hour
Travel costs @ \$0.60 per mile	

WHEREAS, Anderson & Denzler Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract.

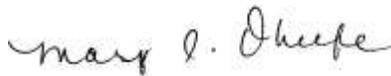
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Anderson & Denzler as described and that the Business Disclosure entity Certification and the Determination of Value be placed on file with this resolution and that a notice of this action shall be printed one in the legal newspaper of the Borough of Butler

Approved:



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2013

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**Borough of Butler
2013 Temporary Budget
Resolution Number R2013-8**

Whereas, the interest and debt redemption charges for the Fiscal Year 2013 are hereby determined as follows:

Department	Principal	Interest	Total
General Fund	100,000.00	44,300.00	144,300.00
Electric Utility Fund	380,000.00	137,750.00	517,750.00
Water Utility Fund	0.00	0.00	0.00
Total	480,000.00	182,050.00	662,050.00

Now, therefore, be it resolved by the Mayor and Council of the Borough of Butler in the County of Morris, New Jersey, that in accordance with the provision of R.S. 50:2-12 of the State of New Jersey, the following appropriation, interest and debt redemption charges for the Fiscal Year 2013 and the same are made as follows.

Department	Principal	Interest	Total
General Fund	100,000.00	44,300.00	144,300.00
Electric Utility Fund	380,000.00	137,750.00	517,750.00
Water Utility Fund	0.00	0.00	0.00
Total	480,000.00	182,050.00	662,050.00

Whereas, Title 40A:4-19 known as the Local Budget Law, provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2013 budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided, and;

Whereas, the total appropriations in the 2012 budget, less appropriations made for the Capital Improvement Fund, Debt Service, Relief for the Poor (Public Assistance) and Deferred Charges are as follows:

General Fund: \$9,878,814
Electric Utility Fund: \$25,439,007
Water Utility Fund: \$1,695,250

And,

Whereas, 25% of the total appropriations in the 2012 budget, less the appropriations made for Capital Improvement Fund, Debt Service, Relief of the Poor (Public Assistance), and Deferred Charges are as follows.

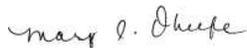
General Fund: \$2,469,704
Electric Utility Fund: \$6,359,752
Water Utility Fund: \$423,813

Adopted: January 2, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2013