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REORGANIZATION MEETING
JANUARY 7, 2014
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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 Stephen Regis
Councilman Edwin Vath

State Senator Joseph Pennacchio administered the Oath of Office to Stephen Regis.

State Senator Joseph Pennacchio administered the Oath of Office to Edwin Vath.

ROLL CALL

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

Mayor Alviene noted the dignitaries in attendance Freeholders Cesaro, Krickus, Lyon, and Freeholder Director Mastrangelo, County Clerk Ann F. Grossi State Senator Pennacchio and Assemblyman Weber. He noted that the elected officials of the Borough are working tirelessly to maintain services in the Borough while keeping taxes stable. Additionally, he thanked the Borough employees and our hired professionals, for the jobs they do to keep the Borough running smoothly.

ELECTION OF COUNCIL PRESIDENT

Councilman Fox nominated Councilman Vath, second by Councilman Regis
Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath
Voted Nay: None

Mayor Alviene asked that the Officers and Fire Police of the Butler Fire Department in attendance please come forward so they may take their oath of office at this time.

BUTLER FIRE DEPARTMENT CHIEF – Two-Year Term - John Ryan

Company Chiefs (in Alphabetical Order)

Dennis Lonagan
Jim Neill
John Ryan, Sr.
Phil Soules

Butler Fire Department Officers:

Kinney Hose Company No. 1

Captain Al Marion
1st Lieutenant Rob Rugel
2nd Lieutenant Bob Stelling

Bartholdi Hose Company No. 2

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Captain Joe Herrman
1st Lieutenant John Ryan Jr.

Kiel Hook and Ladder Company No. 3

Captain Brian Neill
1st Lieutenant Doug Morse IV
2nd Lieutenant Allison Sliker

Pequannock Engine Company No. 4

Captain John Futcher, Jr.
1st Lieutenant Don Moran
2nd Lieutenant Bill Tintle Jr.

FIRE POLICE – One Year Term –Bob Meier, Jim Soules, Tom Lozier, Alan Courtney, Doug Yates, Dan Canty, Harry Radell, Cliff Guenter, Doug Morse, Sr., Pete Shepard, Mike Huha, **Fire Police Chief** – Doug Shorter

Council President Vath expressed his gratitude to the residents of Butler for electing him for another term; it is an honor to serve over the last five, years he looks forward to another good and productive term with the Council. He emphasized that the sense of teamwork exhibited by the Mayor and Council continue to strive to make Butler a great place to live. Additionally, he wanted to acknowledge and thank his family for their support, as he could not be in this position without it.

Councilman Regis wanted to thank everyone who voted for him; he will continue to strive to do a better job as a Councilman.

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 Ashley
Municipal Prosecutor	One year	Edward Azar
Alt. Prosecutor	One year	Nicholas Galante
Public Defender	One year	Joseph A. Affinito
Deputy Court Adm.	One year	Shelly Gallagher & Karen Black
Violations Clerk	One year	Mary O'Keefe and Pamela Krattiger
Assessment Search Officer	One year	Mary O'Keefe
Police Matron	One year	Leslie Usinowicz, Linda Daly, and Joyce Opperee
Americans with Disabilities Act Compliance Committee	Three year	Mary A. O'Keefe
Economic Development Committee	Two-Year	Sandi Liss – Chairperson John Pellington Vice Chairperson Jeanne Scognamiglio – Member Gregory J. Zaccardi – Member Isabelle Rimmer – Member

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Blood Bank	One year	Sean McNear – Member
Veterans Service	One year	Robert Meier - Member
Sr. Citizen Advisory	One year	Butler Fire Department. VFW Post 8096 Marge Cooper, Nancy Haggerty, Jackie Bausch, Cathy Nemis, Jim Soules, Charlotte Soules, Harry Radell, Joe Popivchak, Dorothy Popivchak, Isabelle Rimmer, Pat Wotjecki
Dial-A-Ride	One year	Carol Ashley
Museum Committee	Three years	Sal Scozzari and Vicky Peine
Butler Alliance Commission	Three years	Marge Cooper
Public Agency Compliance Officer	One year	James Lampmann

Motion to accept the above listed appointments:

Moved: Vath
Voted Aye: Fox, Meier, Regis and Vath
Voted Nay: None

Second: Regis

Class III Planning Board One year Robert Fox

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

Second: Regis

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

Mayor Alviene's Appointments to Planning Board

Four-Year Term Alex Calvi
Two-Year Term: Mark Roche
Class II Member – One Year Term – Chris Finelli

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

Library Board Five years Annette Jimmerson

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 –

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Councilman McNear
Representative to Morris Tomorrow –
Councilman Meier
Liaison to Museum Committee –
Councilman Verdonik
Representative to Morris County League of Municipalities –
Mayor Alviene

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

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

Second: Fox

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

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

Second: Fox

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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 2014: PNC BANK, LAKE LAND STATE BANK, BANK OF AMERICA, N.J. CASH MANAGEMENT, VALLEY NATIONAL BANK

Moved: Fox

Second: McNear

Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath

Voted Nay: None

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 SIGNATURES, 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.

Moved: Fox

Second: Vath

Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath

Voted Nay: None

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).

Moved: Meier

Second: Regis

Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath

Voted Nay: None

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.

Moved: Vath

Second: Fox

Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath

Voted Nay: None

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 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

Moved: Regis

Second: Vath

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

RESOLVED THAT THERE IS HEREBY IMPOSED A SERVICE CHARGE OF \$20.00 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.

Moved: Regis

Second: Fox

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

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.

Moved: Regis

Second: Fox

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

RESOLVED, THAT THE SALARIES OF THE BOROUGH EMPLOYEES AND PAID OFFICIALS OF THE BOROUGH BE PAID EVERY TWO WEEKS FOR THE YEAR 2014 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.

Moved: Vath

Second: Fox

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

RESOLVED THAT THE REGULAR MEETINGS OF THE COUNCIL BE HELD ON: January 21, February 18, March 18, April 15, May 20, June 17, July 15, August 19, September 16, October 21, November 3 (Monday) and December 16, 2014. 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

Moved: Vath

Second: Regis

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

R 2014-1 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH AUDITOR

Moved: Verdonik

Second: Fox

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

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R 2014-2 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH ENGINEER

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

R 2014-3 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH ATTORNEY

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

R 2014-4 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BOND
COUNSEL

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

R 2014-5 RESOLUTION PROVIDING FOR AN AGREEMENT WITH DMC

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

R 2014-6 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BETTS &
HOLT

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

R 2014-7 RESOLUTION PROVIDING FOR AN AGREEMENT WITH
ANDERSON & DENZLER

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

R2014-8 RESOLUTION PROVIDING FOR AN AGREEMENT WITH SPECIAL LABOR
COUNSEL TRIMBOLI & PRUSINOWSKI

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

R 2014-9 RESOLUTION APPOINTING JAMES LAMPMANN FOR A FIVE YEAR TERM
(2/1/2014 – 2/1/2019) TO THE PEQUANNOCK RIVER BASIN REGIONAL
SEWERAGE AUTHORITY

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

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R 2014-10 RESOLUTION REAPPOINTING MARY A. O'KEEFE AS BOROUGH CLERK FOR
A THREE YEAR TERM

Moved: Vath

Second: Fox

Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath

Voted Nay: None

R 2014-11 TEMPORARY BUDGET FOR 2014

Moved: Fox

Second: Vath

Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath

Voted Nay: None

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public for discussion.

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

Moved: Fox

Second: McNear

All in favor.

Motion to adjourn the reorganization meeting.

Moved: Fox

Second: Vath

All in favor.

Adjournment: 6:30 p.m.

Adopted: February 18, 2014



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: 2/18/2014

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**BOROUGH OF BUTLER
RESOLUTION R 2014-1
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)	\$125
Manager	115
Supervisor	105
Senior Accountant	95
Staff Accountant	75

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 7, 2014



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 7, 2014

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BOROUGH OF BUTLER
RESOLUTION R2014-2
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 7, 2014



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

Dated: January 7, 2014

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BOROUGH OF BUTLER
RESOLUTION R2014-3

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 18, 2013 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 7, 2014



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

Dated: January 7, 2014

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BOROUGH OF BUTLER
RESOLUTION R2014-4
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 November 19, 2013 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 7, 2014



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION R2014-5
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 December 3, 2013 for surveying and tax map services indicating they will provide the surveying service with the following:

Professional Land Surveyor (PLS)	\$115.00 per hour
Senior Survey Analyst	90.00 per hour
Field Crew	165.00 per hour
AutoCAD Tech	75.00 per hour
Planning Board/Board of Adjustment Applications Review	115.00 per hour
GIS Maintenance/Updates	75.00 per hour
Fee for tax map services for year 2014 - \$4000.00 payable in two installments March and September 2014.	
GIS Subscription – ARC GIS Online Data of Butler Power and Light Company (grids) \$5,400.00 (yearly subscription)	

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:



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 7, 2014

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BOROUGH OF BUTLER
RESOLUTION R2014-6
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 November 26, 2013 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 7, 2014



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 7, 2014

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BOROUGH OF BUTLER
RESOLUTION R2014-7
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 6, 2013 indicating they will provide the engineering services as follows:

Principal Engineer	\$158.00 per hour
Professional Engineer	145.00 per hour
Engineer	102.50 per hour
Sr. Designer	110.00 per hour
Land Surveyor	117.50 per hour
Design Draftsman	87.25 per hour
Inspector	83.25 per hour
Draftsman	63.00 per hour
2-man field crew	165.50 per hour
3-man field crew	195.00 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 7, 2014

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BOROUGH OF BUTLER
RESOLUTION R2014-8

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICES (LEGAL SERVICES)

WHEREAS, the Borough of Butler has a need to obtain Special Labor Counsel services and has determined to award this contract 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 Borough of Butler has determined and certified in writing that the value of the service may exceed \$17,500; and

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

WHEREAS, Stephen E. Trimboli, Esq. of the firm Trimboli and Prusinowski, LLC has submitted a proposal dated November 22, 2013 indicating that his firm will provide the special labor counsel services at a rate of \$150.00 per hour for Partners and \$135.00 per hour for Associates; and

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

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) required that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, in the County of Morris and State of New Jersey, that the Borough of Butler authorizes the entry of a contract with Stephen E. Trimboli, Esq. of the firm Trimboli and Prusinowski, LLC 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:



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk
Dated: January 7, 2014

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**BOROUGH OF BUTLER
RESOLUTION NO. 2014-9**

RESOLUTION OF THE BOROUGH COUNCIL OF BUTLER APPOINTING JAMES LAMPMANN TO THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Sewerage Authorities Law, more specifically at N.J.S.A. 40:14A-4(b), provides for the appointment of municipal members to a sewerage authority for a term commencing on February 1, and expiring on February 1 in the fifth year after such year; and

WHEREAS, the Borough of Butler is a municipal member of the Pequannock River Basin Regional Sewerage Authority ("PRBRSA") and therefore must provide for such appointment of a municipal representative; and

WHEREAS, N.J.S.A. 40:14A-4(b) further provides that the member representatives of each municipality shall be appointed by resolution of the governing body; and

WHEREAS, the Borough of Butler wishes to confirm the appointment of James Lampmann as its member of PRBRSA to serve for a period of five years commencing February 1, 2014; and

WHEREAS, N.J.S.A. 40:14A-4(e) thereafter provides that a copy of each such resolution appointing any member of a sewerage authority, duly certified by the appropriate office of the local unit, shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Butler in the County of Morris and State of New Jersey on this 7th day of January 2014, as follows:

1. James Lampmann is hereby appointed to represent the Borough of Butler as aforesaid commencing on February 1, 2014 and ending February 1, 2019.
2. This Resolution shall take effect immediately and a certified copy hereof shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue, as well as in the offices of the Borough of Butler Municipal Clerk and the Office of the Pequannock River Basin Regional Sewerage Authority.

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Borough of Butler held on January 7, 2014.



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk
Dated: January 7, 2014

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**BOROUGH OF BUTLER
RESOLUTION NO. 2014-10**

WHEREAS, Mary A. O'Keefe was duly appointed and confirmed to the position of Municipal Clerk on March 15, 2011 for a three (3) year term in accordance with N.J.S.A. 40A:9-133, et seq.; and

WHEREAS, Mary A. O'Keefe is and has been certified as a Registered Municipal Clerk since October 14, 2009 and has satisfied the continuing education requirements for said certification; and

WHEREAS, the Mayor and Council of the Borough of Butler is desirous of reappointing Mary A. O'Keefe, RMC as Municipal Clerk for the Borough of Butler; and

WHEREAS, the Mayor and Council of the Borough of Butler is desirous of confirming said reappointment of Mary A. O'Keefe, RMC as Municipal Clerk for the Borough of Butler; and

WHEREAS, this reappointment has occurred at least sixty (60) days prior to the expiration of the three year term identified above;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Butler as follows:

1. Mary A. O'Keefe, RMC is hereby reappointed to the position of Municipal Clerk in the Borough of Butler; and

2. Mary A. O'Keefe, RMC is and has upon this reappointment attained tenure pursuant to N.J.S.A. 40A:9-133, et. seq.



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: January 7, 2014

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**Borough of Butler
2014 Temporary Budget
Resolution Number R2014-11**

Whereas, the interest and debt redemption charges for the Fiscal Year 2014 are hereby determined as follows:

Department	Principal	Interest	Total
General Fund	375,000.00	63,887.50	438,887.50
Electric Utility Fund	205,000.00	69,405.00	274,405.00
Water Utility Fund	75,000.00	31,615.00	106,615.00
Total	655,000.00	164,907.50	819,907.50

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 2014 and the same are made as follows.

Department	Principal	Interest	Total
General Fund	375,000.00	63,887.50	438,887.50
Electric Utility Fund	205,000.00	69,405.00	274,405.00
Water Utility Fund	75,000.00	31,615.00	106,615.00
Total	655,000.00	164,907.50	819,907.50

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 2014 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 2013 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:	\$9,737,562
Electric Utility Fund:	\$25,287,230
Water Utility Fund:	\$1,493,404

And,

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Whereas, 25% of the total appropriations in the 2013 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:	\$2,434,390
Electric Utility Fund:	\$6,321,807
Water Utility Fund:	\$373,351

Adopted: January 7, 2014



Robert W. Alviene, Mayor

ATTEST:



Mary A. O'Keefe
Borough Clerk

Dated: January 7, 2014