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REORGANIZATION MEETING
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The Council Meeting was opened by Mayor 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 Meier – Councilman Meier’s wife Sharon held the Bible while Ms. O’Keefe administered the Oath of Office to her husband.

Councilman Robert Fox – Councilman Fox’s wife Kathy held the Bible while Ms. O’Keefe administered the Oath of Office to her husband.

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 State Senator Pennacchio, Assemblyman Jay Webber, County Clerk Ann F. Grossi, Freeholders Cesaro, Smith and Lyon, James Gannon formerly of the Morris County Prosecutor’s Office, also in attendance Assemblywoman BettyLou DeCroce. He thanked them all for coming out this evening. He thanked the members of the Council for all of their hard work throughout the year, as they make his job so much easier. In closing, he would like to thank the members of the Butler Fire Department in attendance for their hard work through the year.

Councilman Fox wanted to thank everyone for giving him the opportunity to serve another three years, the first eighteen years have gone by in a flash, and the current Council is a good group of people that keeps the Borough running smoothly.

Councilman Meier, agreed with Councilman Fox’s sentiments, he also wanted to thank the people of Butler; he is looking forward to continuing his service to the community. He noted as Chair of the Electric Light and Public Lighting Committee improvements have been made and will continue to be made, so that the rates will continue to be the lowest in the State. He reminded those present that 2015 was the 100-year anniversary of Butler Power and Light. He would again like to thank everyone for their support.

ELECTION OF COUNCIL PRESIDENT

Councilman Fox nominated Councilman Vath, second by Councilman Regis

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

Voted Nay: None

Councilman Vath recused himself on this vote.

Council President Vath thanked everyone for his or her support in electing him Council President; he looks forward to another year as President.

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APPOINTMENTS

Borough Attorney	One year	Robert H. Oostdyk, Jr.
Borough Engineer	One year	Paul Darmofalski
Borough Auditor	One year	David Evans & Valerie Dolan of Nisivoccia & Co.
Tax Search Officer	One year	Cora Ashley
Municipal Court Judge	Three Years	John Paparazzo
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 Opperlee
Americans with Disabilities Act Compliance Committee	Three year	Suzanne Finelli

ECONOMIC DEVELOPMENT COMMITTEE – Two-Year Terms –

Sandi Liss – Chairperson
John Pellington – Vice Chairperson
Jeanne Scognamiglio – Member
Gregory J. Zaccardi – Member
Isabelle Rimmer – Member
Sean McNear – Member
Ray Verdonik – Member

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 – Phil Soules

Company Chiefs (in Alphabetical Order)

William Dunlap
Christopher Finelli
John Futcher, Jr.
Phil Soules

Butler Fire Department Officers:

Kinney Hose Company No. 1

Captain Al Marion
Lieutenant Steven DePascale

Bartholdi Hose Company No. 2

Captain Joe Herrman
Lieutenant Steve Wikfors

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Kiel Hook and Ladder Company No. 3

Captain Doug Morse IV
Lieutenant Pat Hall

Pequannock Engine Company No. 4

Captain Don Moran
Lieutenant Greg Wills

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

EMERGENCY MANAGEMENT COUNCIL – One Year Terms –

Christopher Finelli, Jennifer Brennan, Daniel Hagberg, Dee Dunlap Dean, Mary O’Keefe, Allen Courtney, Phil Soules, Jarred Schmiedhauser, Ciro Chimento, Peter Tabbot, Dan Canty, Scott A. Ricker, James Lampmann, John Baumann, Colleen Pascale

Blood Bank	One year	Butler Fire Department.
Veterans Service	One year	VFW Post 8096
Sr. Citizen Advisory	One year	Jackie Bausch, Cathy Nemis, Jim Soules, Charlotte Soules, Harry Radell, Joe Popivchak, Dorothy Popivchak, Isabelle Rimmer, Pat Wotjecki
Dial-A-Ride	One year	Mary O’Keefe
Museum Committee	Three years	Cynthia Sokoloff, Kenneth Montanye, Peggy Spranzani
Butler Recreation Commission	Five Years	Ben Iradi and Rebecca Calvi
Board of Health	Five Years	Sandra Alviene
Butler Alliance Commission	Three years	Stephen Regis and William Hanisch
Public Agency Compliance Officer	One year	James Lampmann

Class III Planning Board One year Robert Fox

Moved: Regis

Second: McNear

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

Voted Nay: None

Abstain: Fox on Planning Board appointment

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

Mayor Alviene’s Appointments to Planning Board

Four-Year Term Jim Brown

Two-Year Term: Mark Roche

Class II Member – One Year Term – Christopher Finelli

Library Board Five Years Louis Coiro

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ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

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 Meier
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

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HEALTH, SANITATION AND COMMUNITY DEVELOPMENT
COMMITTEE

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

ROADS AND BUILDINGS/GROUNDS COMMITTEE

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

Moved: Regis

Second: Vath

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

Voted Nay: McNear

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

Moved: Vath

Second: Fox

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

Voted Nay: None

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 2015: PNC BANK, LAKELAND STATE BANK, BANK OF AMERICA, N.J. CASH MANAGEMENT, VALLEY NATIONAL BANK

Moved: McNear

Second: Fox

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: Regis

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

Voted Nay: None

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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: Vath

Second: Verdonik

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: Regis

Second: McNear

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: Fox

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

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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: Vath

Second: Regis

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 2016 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: McNear

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

Voted Nay: None

RESOLVED THAT THE REGULAR MEETINGS OF THE COUNCIL BE HELD ON: January 19, February 16, March 15, April 19, May 17, June 21, July 19, August 16, September 20, October 18, November 7 and December 20, 2015. 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: Verdonik

Second: Fox

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

Voted Nay: None

R 2016-1 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH AUDITOR

Moved: Vath

Second: Fox

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

Voted Nay: None

R 2016-2 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH ENGINEER

Moved: Fox

Second: McNear

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

Voted Nay: None

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R 2016-3 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 2016-4 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 2016-5 RESOLUTION PROVIDING FOR AN AGREEMENT WITH DMC

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

R 2016-6 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 2016-7 RESOLUTION PROVIDING FOR AN AGREEMENT WITH
ANDERSON & DENZLER

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

R 2016-8 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 2016-9 RESOLUTION APPOINTING MUNICIPAL PROSECUTOR, ALTERNATE
MUNICIPAL PROSECUTOR AND MUNICIPAL PUBLIC DEFENDER

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

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R 2016-10 RESOLUTION AUTHORIZING THE EXECUTION OF MASTER POWER
PURCHASE AND SALE AGREEMENTS AND CONFIRMATION
TRANSACTIONS THEREUNDER WITH VARIOUS SUPPLIERS

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

R 2016-11 RESOLUTION AUTHORIZING AN AGREEMENT WITH PHOENIX
ADVISORS, LLC FOR MUNICIPAL BOND RELATED ISSUES

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

R 2016-12 TEMPORARY BUDGET FOR 2016

Moved: Vath Second: Regis
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: Regis Second: Vath
All in favor.

Adjournment: 6:32 p.m.

Adopted: January 19, 2016



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: January 19, 2016

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**BOROUGH OF BUTLER
RESOLUTION R 2016-1
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 December 8, 2015 indicating that they will provide the auditing services as follows:

Classification	Rate
Partner (Discounted Rate)	\$130
Manager	120
Supervisor	110
Senior Accountant	100
Staff Accountant	80

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:


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION R 2016-2
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 December 8, 2015 indicating they will provide the engineering services as follows:

Professional Engineer	\$125/hr
Design/Drafting	75/hr
Field Inspector	75/hr
Outside Contractor	Cost + 15% Adm Fee

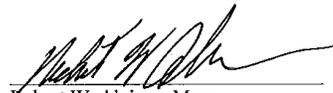
WHEREAS, Darmofalski Engineering Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract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

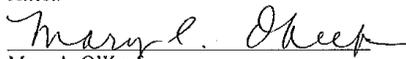
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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

Approved:


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION R 2016-3

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, Robert H. Oostdyk, Jr. has submitted a proposal dated December 7, 2015 indicating they will provide the legal services for an annual retainer of \$40,000 and matters of litigation at a rate of \$150 per hour; and

WHEREAS, Robert H. Oostdyk 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

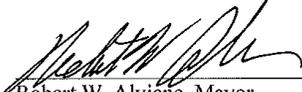
WHEREAS, the Chief Financial Finance Officer has certified that funds are available for this purpose; and

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 Robert H. Oostdyk, Jr. as described herein; and

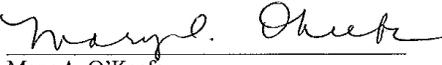
BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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

Approved:


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk
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BOROUGH OF BUTLER
RESOLUTION R 2016-4
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 8, 2015 indicating they will provide the legal services for the terms in the proposal on file in the office of the Borough Clerk; 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

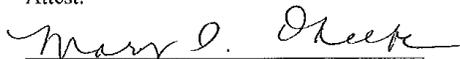
BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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

Approved:


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk
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BOROUGH OF BUTLER
RESOLUTION R 2016-5
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;

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 7, 2015 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 2015 - \$4000.00 payable in two installments March and September 2015.

GIS Subscription – ARC GIS Online Data of Butler Power and Light Company (grids) \$5,400.00 (yearly subscription)

Tax Map Reproduction:

Complete Set (24" x 36") Tax Maps for the Borough of Butler	\$125.00
Complete Set (11" x 17") Tax Maps for the Borough of Butler	\$ 50.00

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

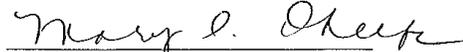
BE IT FURTHER RESOLVED, that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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 5, 2016

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BOROUGH OF BUTLER
RESOLUTION R 2016-6
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 10, 2015 indicating they will provide the services as follows:

Partners	\$350 an hour
Of Counsel	350 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:


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 5, 2016

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BOROUGH OF BUTLER
RESOLUTION R 2016-7
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

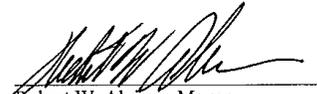
WHEREAS, Anderson & Denzler has submitted a proposal dated October 21, 2015 indicating they will provide the engineering services as follows:

Principal Engineer	\$164.40 per hour
Professional Engineer	150.90 per hour
Engineer	106.70 per hour
Sr. Designer	114.40 per hour
Land Surveyor	122.30 per hour
Design Draftsman	90.80 per hour
Inspector	86.60 per hour
Draftsman	65.60 per hour
2-man field crew	172.20 per hour
3-man field crew	202.90 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 5, 2016

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BOROUGH OF BUTLER
RESOLUTION R 2016-8

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 December 7, 2015 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 5, 2016

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BOROUGH OF BUTLER
RESOLUTION R 2016-9

WHEREAS, the Borough Council of Butler is required to appoint a municipal prosecutor, alternate municipal prosecutor and public defender; and

WHEREAS, the Borough Council is required, pursuant to N.J.S.A. 2B:25-4a, to appoint an alternate municipal prosecutor to serve in the absence of the municipal prosecutor; and

WHEREAS, the Borough Council is required pursuant to N.J.S.A. 2B:24-3 to appoint a municipal public defender.

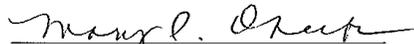
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, County of Morris, State of New Jersey that Edward Azar, Esq., is hereby appointed as municipal prosecutor and Nicholas Galante, Esq., is hereby appointed as alternate municipal prosecutor to serve in the absence of the municipal prosecutor.

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Butler, County of Morris, State of New Jersey that Joseph Affinito is hereby appointed municipal public defender.

Adopted: January 5, 2016


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe, Borough Clerk

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RESOLUTION 2016-10
OF THE BOROUGH OF THE BOROUGH OF BUTLER
AUTHORIZING EXECUTION OF MASTER POWER PURCHASE AND SALE
AGREEMENTS AND CONFIRMATION TRANSACTIONS THEREUNDER BETWEEN
THE BOROUGH AND VARIOUS SUPPLIERS

WHEREAS, pursuant to prior Council resolution(s) the Borough entered into Master Power Purchase and Sale Agreements with the following suppliers on the dates indicated:

Exelon Generation Company LLC ¹ ,	October 4, 2011
PPL EnergyPlus LLC	October 4, 2011
NextEra Energy Power Marketing, Inc.	October 4, 2011
PSEG Energy Resources & Trade LLC	October 28, 2011
Noble Americas Gas & Power Corp.	October 20, 2011
DTE Energy Trading, Inc.	October 4, 2011
BP Energy Company	February 3, 2015

WHEREAS, the Borough desires to extend to its authorized representatives the duty and obligation to execute Transaction Confirmations that secure specific quantities of energy for delivery to the Borough for specific delivery periods at a fixed price, and

WHEREAS, pursuant to prior Council authorization, and to facilitate the purchase of wholesale electricity, the Borough entered into the Membership Agreement with PJM Interconnection, LLC August 25, 2011 and the Master Energy Supply Agreement with American PowerNet Management, Inc. September 27, 2011,

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Butler in the County of Morris, State of New Jersey, that the Council affirms the above-described Master Power Purchase and Sale Agreements with Exelon Generation Company, LLC; PPL EnergyPlus LLC; NextEra Energy Power Marketing, Inc.; PSEG Energy Resources & Trade LLC; Noble Americas Gas & Power Corp.; DTE Energy Trading, Inc.; BP Energy Company; the Membership Agreement with PJM Interconnection, LLC; and the Master Energy

¹ An agreement was entered into with Constellation Energy Commodities Group, Inc. as well. However, Exelon Corporation, the parent company of Exelon Generation Company LLC, acquired Constellation Energy Group, the parent company of Constellation Energy Commodities Group, Inc. and assumed all the Constellation obligations.

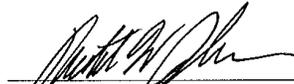
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Supply Agreement with American PowerNet and authorizes the continuation of these agreements; and

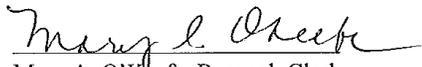
BE IT FURTHER RESOLVED THAT the Council authorizes the Borough Administrator and Municipal Finance Officer to enter into binding Transaction Confirmations securing specific blocks of energy at specific delivery periods and prices pursuant to the Master Power Purchase and Sale Agreements.

ADOPTED AND APPROVED
January 5, 2016



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, Borough Clerk

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**BOROUGH OF BUTLER
RESOLUTION NO. 2016-11**

**AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH PHOENIX ADVISORS, LLC**

WHEREAS, the Borough of Butler as part of the process of issuing bonds is required to execute Continuing Disclosure Agreements to provide certain financial and other information and notices within specified timeframes, in a manner prescribed by regulators of the underwriter that purchased said bond issues; and

WHEREAS, it is beneficial for the Borough to retain assistance of experts in the field of municipal bond finance, who have knowledge and experience in these matters, to assist in a compliance survey and in the on-going filing of required information and notices and Phoenix Advisors, LLC provides such services; and

WHEREAS, the Borough Auditor and Chief Financial Officer have reviewed the agreement and recommend that the contract be awarded to Phoenix Advisors, LLC 4 West Park Street, Bordentown, New Jersey 08505 for a total price not to exceed \$1,500.00; and

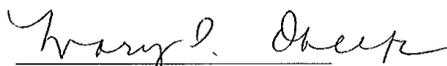
WHEREAS, the Chief Financial Officer of the Borough of Butler has certified to the availability of funds available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, County of Morris, and State of New Jersey as follows:

- (1) The Borough of Butler hereby awards the agreement and authorizes the Chief Financial Officer to execute the agreement with Phoenix Advisors, LLC 4 West Park Street, Bordentown, New Jersey 08505
- (2) A copy of the agreement is on file in the office of the Borough Clerk.

Adopted:


Robert W. Alviene, Mayor


Mary A. O'Keefe, Clerk

Dated: January 5, 2016

Borough of Butler
2016 Temporary Budget
Resolution Number R 2016-12

Whereas, the interest and debt redemption charges for the Fiscal Year 2016 are hereby determined as follows:

Department	Principal	Interest	Total
General Fund	621,152.00	97,248.00	718,400.00
Electric Utility Fund	677,000.00	181,254.00	858,254.00
Water Utility Fund	154,519.00	36,517.00	110,840.00
Total	1,155,000.00	315,032.50	1,470,032.50

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 2016 and the same are made as follows.

Department	Principal	Interest	Total
General Fund	621,152.00	97,248.00	718,400.00
Electric Utility Fund	677,000.00	181,254.00	858,254.00
Water Utility Fund	154,519.00	36,517.00	110,840.00
Total	1,155,000.00	315,032.50	1,470,032.50

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 2016 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 2015 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: \$10,313,763
Electric Utility Fund: \$22,295,509
Water Utility Fund: \$1,736,717

And,

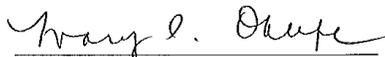
Whereas, 25% of the total appropriations in the 2015 budget, less the appropriations made for Capital Improvement Fund, Debt Service, Relief of the Poor (Public Assistance), and Deferred Charges are as follows.

General Fund: \$2,578,441
Electric Utility Fund: \$5,573,877
Water Utility Fund: \$434,179

Approved:


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 5, 2016