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WORKSHOP MEETING
FEBRUARY 5, 2013
7:00 P.M.
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The Workshop Meeting of the Borough of Butler Mayor and Council 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.

ROLL CALL

PRESENT: Mayor Robert W. Alviene, Councilman Fox, Councilman McNear, Councilman Meier, Councilman Regis, Councilman Verdonik and Council President Vath

ALSO PRESENT: J. Lampmann, Borough Administrator, R. Oostdyk, Borough Attorney and M. O'Keefe, Borough Clerk

R 2013-14 RESOLUTION ADOPTING PRE-QUALIFICATION REGULATIONS FOR BIDDERS REGARDING THE PHASE II EXTERIOR RESTORATION OF THE BUTLER HISTORIC TRAIN STATION

Mayor Alviene opened the meeting to the public on this resolution and this resolution only. Seeing no one come forward to speak Councilman Fox closed this public portion of the meeting.

Moved: Fox
Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath
Voted Nay: None
R 2013-14 approved.

Second: McNear

R 2013-15 RESOLUTION APPROVING MUTUAL AID AGREEMENT WITH PUBLIC POWER

Moved: Fox
Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath
Voted Nay: None
R 2013-15 approved.

Second: Meier

R 2013-16 RESOLUTION AUTHORIZING SALE OF TWO VEHICLES TO THE BOROUGH OF BLOOMINGDALE

Moved: Verdonik
Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath
Voted Nay: None
R 2013-16 approved.

Second: Vath

R 2013-17 RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH BLOOMINGDALE FOR ANIMAL CONTROL SERVICES

Mr. Lampmann explained the duties of animal control regarding wild animals, pet surrender and the rabies clinic.

Moved: McNear
Voted Aye: Fox, McNear, Meier, Regis, Verdonik and Vath
Voted Nay: None
R 2013-17 approved.

Second: Fox

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DISCUSSION:

FIRE DEPARTMENT NEW MEMBER CHECKLIST:

Council President Vath asked that the checklist be amended to include signature of the Relief Association Secretary to guarantee that the appropriate paperwork is forwarded to the New Jersey State Fireman's Association.

URGING COMMITTEE ACTION ON SENATE BILL 2324 – VERIZON BUSINESS PERSONAL PROPERTY TAXES

A letter urging Senator Jeff Van Drew, Chairperson of the Senate Community and Urban Affairs Committee to schedule committee action on this bill will be mailed.

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public at this time>

Seeing no one come forward to speak a motion was made to close the public portion of the meeting.
Moved: Fox
Second: Vath

All in favor.

Mr. Lampmann scheduled Budget hearings with the various committee members, in anticipation of completion of the hearings so the budget might be ready for introduction at the March meeting. Additionally, the negotiating committee members are Councilman McNear, Councilman Regis and Councilman Verdonik, they will negotiate with the contractual employees of the Borough.

Motion was made to go into Executive Session.
Moved: Verdonik

Second: Regis

Motion was made to reopen the meeting to the public.
Moved Fox

Second: McNear

SNOW REMOVAL

Mr. Lampmann asked for direction from the Mayor and Council regarding snow removal, if notices are sent by mail it takes approximately five days for a response from the property owner. He asked the Council to determine who enforces the ordinance and what the timeframe is for snow removal. Discussion ensued as to what the procedure should to alleviate these problems, Mr. Lampmann to meet with Chief Card to discuss a strategy that will work for the entire Borough.

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Motion was made to adjourn the meeting:
Moved: Fox
All in favor.

Second: McNear

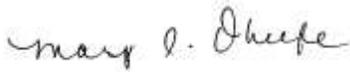
ADJOURNMENT: 8:23 p.m.

Adopted: February 19, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: February 19, 2013

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RESOLUTION R2013 – 14

RESOLUTION ADOPTING PRE-QUALIFICATION REGULATIONS
FOR BIDDERS REGARDING THE PHASE II EXTERIOR RESTORATION
OF THE BUTLER HISTORIC TRAIN STATION

WHEREAS, N.J.S.A. 40A:11-25 permits a governing body to establish reasonable regulations appropriate for controlling the qualifications of prospective bidders upon contracts to be awarded on behalf of the governing body; and

WHEREAS, N.J.S.A. 40A:11-25 further provides that a governing body may require each bidder to furnish a statement of their qualifications and may refuse to furnish the bidder with any plans or specifications unless the bidder satisfies the pre-qualification requirements; and

WHEREAS, the Borough of Butler (“Borough”) desires to establish specific pre-qualification requirements regarding the contract for the Phase II Exterior Restoration of the Butler Historic Train Station; and

WHEREAS, in accordance with N.J.S.A. 40A:11-25, on January 6, 2013 notice was published in the Daily Record, and on January 7, 2013 notice was published in the Suburban Trends regarding the public hearing on the pre-qualification requirements; and

WHEREAS, in accordance with N.J.S.A. 40A:11-25 on February 5, 2013 the Borough held a public hearing on the pre-qualification requirements; and

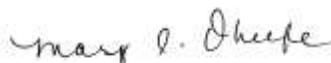
WHEREAS, the Borough desires to adopt the pre-qualification requirements for the Phase II Exterior Restoration of the Butler Historic Train Station as set forth in the Contractor’s Pre-qualification Package dated January 7, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Butler, County of Morris, State of New Jersey that Pursuant to N.J.S.A. 40A:11-25 the Borough hereby adopts the pre-qualification requirements for bidders for the Structural Stabilization of the Butler Historic Train Station as set forth in the Contractor’s Pre-qualification Package dated October 15, 2010 as prepared by CONNOLLY & HICKEY, HISTORICAL ARCHITECTS, LLC OF Cranford, New Jersey.

Adopted:



Robert W. Alviene, Mayor



Mary A. O’Keefe, Borough Clerk

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**BOROUGH OF BUTLER
RESOLUTION R 2013-15**

**RESOLUTION APPROVING MUTUAL AID AGREEMENT WITH THE PUBLIC
POWER ASSOCIATION**

WHEREAS, the Borough of Butler has been a member of the Public Power Association of New Jersey for many years; and

WHEREAS, the Public Power Association is engaged in the operation of a system for the sale and distribution of electricity at retail; and

WHEREAS, all members of the Association agree to render mutual aid to any of the other Signatories of this agreement.

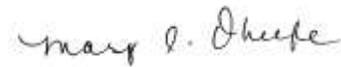
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Butler authorize James Lampmann, Borough Administrator to sign the mutual aid agreement

Approved: February 5, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

Dated: February 5, 2013

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**BOROUGH OF BUTLER
RESOLUTION NO. 2013-16**

**RESOLUTION COMMEMORATING THE SALE OF PERSONAL PROPERTY
OWNED BY THE BOROUGH OF BUTLER NOT NEEDED FOR PUBLIC USE**

WHEREAS, the Borough of Butler owns surplus equipment not needed for public use; and

WHEREAS, the Borough of Bloomingdale has purchased this equipment for the sum of One Thousand Eight Hundred per vehicle; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36 the Borough of Butler may, by Resolution, authorize the sale of its personal property not needed for public use by private sale to another public body; and

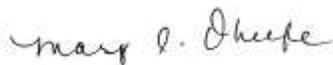
WHEREAS, the Borough of Bloomingdale has a need for such item;

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 a 2008 Ford Crown Victoria sedan VIN 2FAFP71V08X164070 and 2FAFP71V08X164070 shall be sold to the Borough of Bloomingdale in "as is" condition for a cost of One Thousand Eight Hundred per vehicle (\$1,800.00 each)

Adopted: February 5, 2013



Robert W. Alviene, Mayor



Mary A. O'Keefe, Borough Clerk

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**BOROUGH OF BUTLER
RESOLUTION R 2013-17**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER
AUTHORIZING AN AGREEMENT WITH THE BOROUGH OF BLOOMINGDALE
FOR THE PROVISION OF ANIMAL CONTROL SERVICES**

WHEREAS, the Borough of Butler is in need of Animal Control Services for the Borough; and

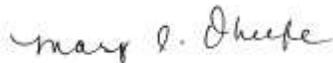
WHEREAS, Borough of Bloomingdale has previously provided said services and has expressed a desire to continue providing said services; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Butler that the Mayor and Borough Clerk are hereby authorized to enter into an interlocal services agreement with the Borough of Butler for Animal Control Services for a five year period retroactive to January 1, 2013 through December 31, 2017, a copy of the agreement is on file in the office of the Borough Clerk.

Adopted:



Robert W. Alviene, Mayor



Mary A. O'Keefe, Borough Clerk

Dated: February 5, 2013

R 2013-18
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler on the 5th day of February 2013, that:

1. Prior to conclusion of the business meeting, the Borough Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () B. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () B. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () B. (3) A matter the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () B. (4) A collective bargaining agreement including negotiations.
 - () B. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () B. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure would impact such protection. Investigation of violations of the law.
 - (X) B. (7) Pending or anticipated litigation or contract negotiations other than in Subsection b. (4) herein or matters falling within the attorney-client privilege.
 - () B. (8) Personnel matters.
 - () B. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Moved: Verdonik

Second: Regis