

MINUTES OF:
DATE OF MEETING:
TIME OF MEETING:
PAGE NO.

WORKSHOP MEETING
DECEMBER 3, 2024
7pm
2

- Mr. Lampmann inquired if the same union raises will apply to non-union staff. Council agreed. He then asked if Sunday, May 18th would be acceptable for the BPD sponsored car show on Main Street.

OPEN PUBLIC DISCUSSION

Council President Verdonik opened the meeting to the public.
Seeing no one come forward to speak, a motion was made to close the public portion of the meeting.
Moved: Fox Second: Orcutt
All in favor

CLOSED SESSION

2024-114 Motion for Executive Session – Tax Appeal
Moved: Fox Second: Calvi
All in favor
Returned to Open Session at 7:36 pm by a motion from Meier, Second by Orcutt and all in favor.

2024-115 Tax appeal settlement B 93.01 L 4 and L 14.01; B 62 L 17&18
Moved: Fox Second: Piccirillo
Voted Aye: Calvi, Fox, Meier, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: None

ADDITIONAL ITEMS

Resolution 2024-116 Grant Balance Cancellation Resolution
Moved: Fox Second: Piccirillo
Voted Aye: Calvi, Fox, Meier, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: None

Resolution 2024-117 Capital Balance Cancellation Resolution
Moved: Fox Second: Piccirillo
Voted Aye: Calvi, Fox, Meier, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: None

Resolution 2024-118 Transfer Resolution
Moved: Fox Second: Meier
Voted Aye: Calvi, Fox, Meier, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: None

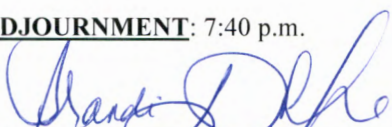
Resolution 2024-119 Resolution Authorizing Signature on Agreement to Process Single Stream Recycling
Moved: Fox Second: Orcutt
All in favor

MOTION TO ADJOURN

Moved: Fox Second: Calvi
All in favor

Councilwoman Orcutt had one additional item. She questioned whether we are in compliance with the Affordable Housing Act. Mr. Lampmann confirmed we are.

ADJOURNMENT: 7:40 p.m.



Brandi L. Smith-Greco, Municipal Clerk
Adopted January 21, 2025



Ryan Martinez, Mayor

**BOROUGH OF BUTLER
RESOLUTION R2024-109**

**RESOLUTION AUTHORIZING
Signature on WQM003 by the Borough of Butler
for The VMC Group**

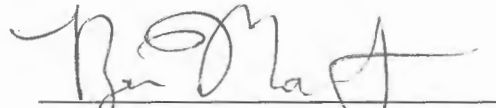
WHEREAS, the Borough of Butler has been informed that the VMC Group is submitting a WQM003 for a minor modification of its' already permitted stormwater discharge, and

WHEREAS, the WQM003 requires a Statement of Consent from the Municipality where the project resides, and

WHEREAS, such notice was provided to the Borough of Butler, and

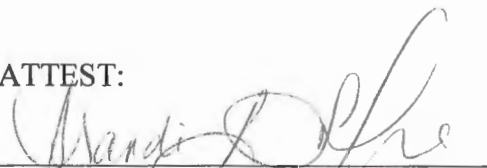
NOW, THEREFORE BE IT RESOLVED that the Mayor and Council approve the signature on WQM003 Statement of Consent by the Borough Administrator and that a copy of the resolution be included with the signed consent form.

Adopted: 12/3/2024



Ryan Martinez, Mayor

ATTEST:



Brandi Smith Greco, Borough Clerk

Dated: 12/3/2024

BOROUGH OF BUTLER
RESOLUTION R2024-110
RESOLUTION PROVIDING FOR AN AGREEMENT WITH INSURANCE DESIGN
ADMINISTRATORS FOR DENTAL CLAIMS ADMINISTRATION

WHEREAS, the Borough of Butler desires to continue to implement a cost-effective method of dealing with the ever-increasing cost of group health benefits while maintaining appropriate dental care for its employees; and

WHEREAS, self-funding is an effective method to achieve this goal; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Butler as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with Insurance Design Administrators, 111 Bauer Drive, Oakland, N.J. 07436.

2. The duration of this contract is January 1, 2025 through December 31, 2025, however it shall be on a month to month basis. Upon thirty days notification to IDA, this contract can be terminated.

3. The service fee is estimated as follows:

a. IDA shall be paid a monthly fee of \$11 per employee (Annually estimated at \$15,048) which includes claim processing costs for claims handling.

b. Claims are estimated at \$138,037.54.

c. If during the operation of the Plan, any tax (other than franchise taxes, net worth taxes, state or federal income taxes or other taxes based on income), or any assessment or premium charge, shall be assessed against the Plan or IDA and IDA is required to pay such tax, IDA shall report the assessment or charge to the Sponsor and the Sponsor shall immediately reimburse IDA for any such charge or assessment. Sponsor may, at its discretion, appeal the tax.

d. In addition to the Monthly Services Fees and payment, the Sponsor shall pay IDA charges incurred pursuant to the following schedule of Special Services Fees:

SPECIAL SERVICES

Printing Expenses

SPECIAL SERVICES FEES

Actual cost for booklets and Employer Claim Checks or any other special printing requested by the Sponsor plus 10%.

Special Statistical Reports
(Other than the customary
monthly or annual reports).

Expenses incurred.

Travel Expenses for IDA
personnel if such travel is
at the request of the Sponsor
or Administrator

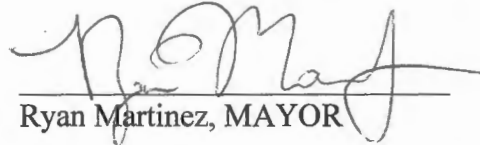
Expenses incurred for such
travel

Other Services mutually agreed
upon, beyond the scope of
those normally required.

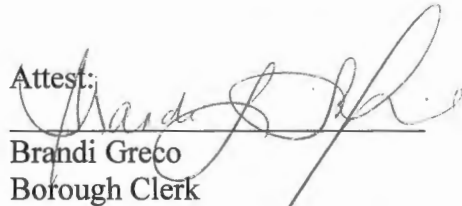
Actual costs of such services

4. The Butler Employee Dental Health Care Plan will be renewed effective
January 1, 2025.

Adopted: 12/3/24


Ryan Martinez, MAYOR

Attest:


Brandi Greco
Borough Clerk

Dated:

December 3, 2024

BOROUGH OF BUTLER

RESOLUTION 2024-111

RESOLUTION AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT BETWEEN THE BOROUGH OF BUTLER AND JORGE REYES

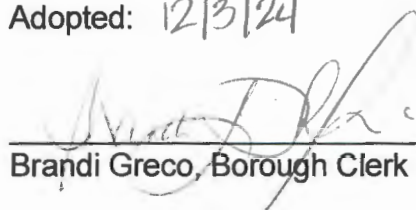
WHEREAS, Jorge Reyes serves as the Butler Police Lieutenant; and

WHEREAS, the Governing Body wishes to provide for an Employment Agreement with Jorge Reyes for the terms specified, and

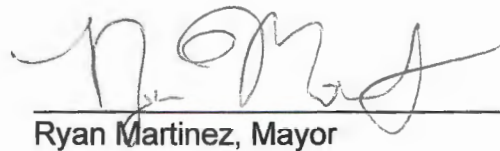
WHEREAS, Jorge Reyes and the Borough Council have agreed upon the terms of an Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, in the County of Morris, and State of New Jersey, that the Borough Council hereby authorizes the Mayor and the Borough Clerk to execute the Employment Agreement for the position of Police Lieutenant with Jorge Reyes in the form attached hereto.

Adopted: 12/3/24



Brandi Greco, Borough Clerk



Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTION 2024-112

RESOLUTION AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT BETWEEN THE BOROUGH OF BUTLER AND KEITH SOULES

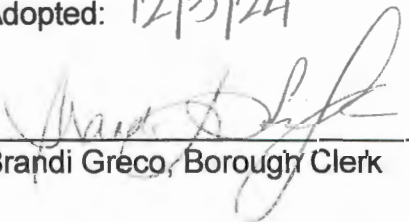
WHEREAS, Keith Soules serves as the Butler Police Lieutenant; and

WHEREAS, the Governing Body wishes to provide for an Employment Agreement with Keith Soules for the terms specified, and

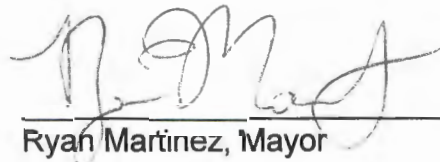
WHEREAS, Keith Soules and the Borough Council have agreed upon the terms of an Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, in the County of Morris, and State of New Jersey, that the Borough Council hereby authorizes the Mayor and the Borough Clerk to execute the Employment Agreement for the position of Police Lieutenant with Keith Soules in the form attached hereto.

Adopted: 12/3/24



Brandi Greco, Borough Clerk



Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTION 2024-113

RESOLUTION AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT BETWEEN THE BOROUGH OF BUTLER AND SCOTT RICKER

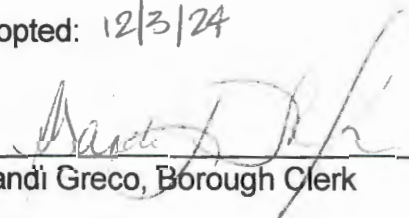
WHEREAS, Scott Ricker serves as the Butler Chief of Police; and

WHEREAS, the Governing Body wishes to provide for an Employment Agreement with Scott Ricker for the terms specified, and

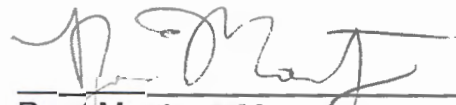
WHEREAS, Scott Ricker and the Borough Council have agreed upon the terms of an Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, in the County of Morris, and State of New Jersey, that the Borough Council hereby authorizes the Mayor and the Borough Clerk to execute the Employment Agreement for the position of Police Chief with Scott Ricker in the form attached hereto.

Adopted: 12/3/24



Brandi Greco, Borough Clerk



Ryan Martinez, Mayor

BOROUGH OF BUTLER
RESOLUTION NO. 2024-114
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler in the County of Morris, State of New Jersey, on the 3rd day of December, 2024, that:

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

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

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

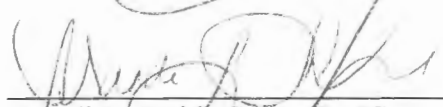
Date: December 3, 2024

Moved: Fox

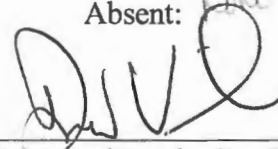
Second: Cavi

Roll Call: Alf

Absent: [Signature]



Brandi L. Smith-Greco, RMC



Raymond Verdonik, Council President

BOROUGH OF BUTLER

RESOLUTION 2024-115

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX APPEAL
(STEINER v. BOROUGH OF BUTLER – BLOCK 93.01 , LOT 4 AND 14.01
AND BLOCK 62 LOTS 17 AND 18)**

WHEREAS, a tax appeal has been filed in the Tax Court of New Jersey captioned “Max is Back (Steiner) v. Borough of Butler” (Block 93.01, Lot 4 – Route 23, Block 62, Lot 18 – 1425 Route 23, Block 62, Lot 17 – 15 Ridge Street, and Block 93.01, Lot 14.01 – 1409 Route 2; and


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

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

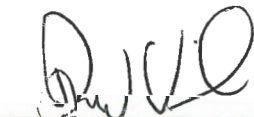
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, in the County of Morris and State of New Jersey, that the Borough Attorney is authorized to execute a Stipulation of Settlement in settlement of all pending tax appeals captioned “Max is Back (Steiner) v. Borough of Butler”;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

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

Adopted: December 3, 2024



Brandi Greco, Borough Clerk



Raymond Verdonik, Council President

**BOROUGH OF BUTLER
COUNTY OF MORRIS
CANCELLATION RESOLUTION R 2024-116**

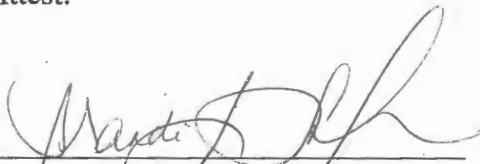
WHEREAS, Certain State and Federal Grant receivable and appropriation balances within the State and Federal Grant Fund remain; and

WHEREAS, It is necessary to formally cancel said balances;

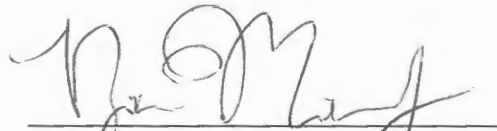
NOW, THEREFORE BE IT RESOLVED, by the council of the Borough of Butler, that the following receivables and appropriations be cancelled:

Grants Receivable	
Municipal Alliance – DEDR	1,709.00
Municipal Alliance – DARE	\$2,050.00
Municipal Alliance - Supplemental Funding	\$2,464.43
NJ DMHAS Funding	\$195.00
Grants Appropriated Reserves	
Municipal Alliance - Supplemental Funding	\$2,189.87
NJDEP Stormwater Grant	\$255.00
NJ DMHAS Funding	\$195.00

Attest:



Brandi L. Smith-Greco, RMC



Ryan Martinez, Mayor

Dated: December 3, 2024

**BOROUGH OF BUTLER
COUNTY OF MORRIS
CANCELLATION RESOLUTION R2024-117**


WHEREAS, Certain improvement appropriation balances within the General Capital Fund, Water Utility Capital Fund and Electric Utility Capital Fund remain dedicated to projects now completed; and

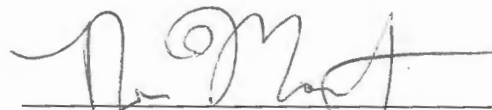
WHEREAS, It is necessary to formally cancel said balances so that the unexpended balances may be returned to each prospective Capital Improvement Fund or Surplus and unused debt authorizations be canceled within the General Capital Fund, Water Utility Capital Fund and Electric Utility Capital Fund;

NOW, THEREFORE BE IT RESOLVED, by the council of the Borough of Butler, that the following unexpended and dedicated balances be canceled:

Appropriation		Amount	
General Capital Fund Appropriations			
Ord. No.	Description	Funded	Unfunded
2022-06	Purchase Police Equipment	\$30.00	
2023-14	Purchase Meals on Wheels Vehicle	\$500.00	
Electric Capital Fund Appropriations			
	Description	Funded	Unfunded
2024-13	Various Improvements (ID Printer)	\$35.00	
Water Capital Fund Appropriations			
	Description	Funded	Unfunded
2016-11	Various Improvements	\$3,830.46	
2018-11	Various Improvements	\$21,838.43	
2020-09	Purchase Backhoe	\$912.72	

Attest:


 Brandi L. Smith-Greco, RMC


 Ryan Martinez, Mayor

Dated: December 3, 2024

**BOROUGH OF BUTLER
COUNTY OF MORRIS
TRANSFER RESOLUTION 2024-118**

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year:

BE IT RESOLVED by the Borough Council of the Borough of Butler in The County of Morris, New Jersey, that transfers between 2024 Budget Appropriations be made as follows:

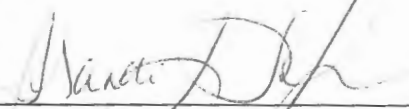
Current Fund

<u>Title</u>	<u>From</u>	<u>To</u>
Tax Collector S&W	\$6,670	
Streets and Roads S&W	\$15,000	
Mayor and Council OE		\$600
Municipal Clerk OE		\$1,500
Finance S&W		\$5,000
Finance OE		\$2,000
Engineering Fees		\$1,000
Planning Board OE		\$2,500
Vehicle Maintenance		\$1,500
Health Department S&W		\$2,500
Animal Control OE		\$570
Telephone		\$3,500
DCRP		\$1,000
Total Current Fund Transfers	<u>\$21,670</u>	<u>\$21,670</u>

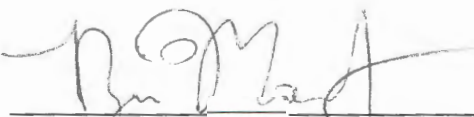
Electric Utility

<u>Title</u>	<u>From</u>	<u>To</u>
Electric Operating S&W	\$15,000	
Electric Dispatch S&W	\$15,000	
Electric Admin. S&W		\$30,000
Total Electric Utility Transfers	<u>\$30,000</u>	<u>\$30,000</u>

Attest:



Brandi L. Smith-Greco, RMC



Ryan Martinez, Mayor

Dated: December 3, 2024

**BOROUGH OF BUTLER
RESOLUTION NO. 2024-119**

**AUTHORIZING EXECUTION OF AGREEMENT WITH ATLANTIC COAST FIBERS
FOR RECYCLING SERVICES**

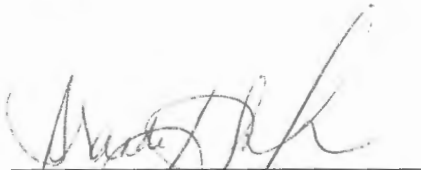
WHEREAS, the Borough of Butler needs a provider to accept recyclable materials from the Borough; and

WHEREAS, Atlantic Coast Fibers, located at 101 7th Street, Passaic, NJ 07055 has provided a proposal to the Borough for acceptance of its recyclable materials and payment per ton to the Borough for recyclable materials for a three-year term beginning on January 1, 2025, with the option of two one-year extensions under the same terms and conditions; and

WHEREAS, pursuant to New Jersey Local Public Contracts Law, NJSA 40A: 11-5(I)(s), any contract can be awarded by a governing body, without public bidding, for the provision of recycling services; and

WHEREAS, the Borough Administrator has reviewed the proposal and has recommended the execution of the agreement.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Butler authorize the Borough Administrator to execute the attached agreement with Atlantic Coast Fibers for recycling services as per NJSA 40A:11-5(1)(s) the term of January 1, 2025, through December 31, 2027.



Brandi Smith-Greco, RMC



Ryan Martinez, Mayor

Date: December 3, 2024