

The Workshop Meeting of the Borough of Butler Mayor and Council was opened by Council President Verdonik 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 and on the Borough Website.

ROLL CALL

PRESENT: Councilman Calvi, Councilman Fox, Councilman Meier, Councilwoman Morley, Councilman Piccirillo and Council President Verdonik

Motion to excuse the absence of Mayor Martinez by Morley, Second by Piccirillo and all in favor.

ALSO PRESENT: James Lampmann, Borough Administrator; Robert Oostdyk, Borough Attorney and Brandi Greco, Borough Clerk.

APPROVAL OF MINUTES

March 19, 2024

Moved: Piccirillo Second: Morley
All in favor

April 2, 2024

Moved: Fox Second: Piccirillo
All in favor

RESOLUTIONS

R 2024-54 RESOLUTION AUTHORIZING THE DISCRETIONARY AWARD OF A CONTRACT FOR THE PURCHASE OF A 2023 FORD POLICE INTERCEPTOR

Moved: Calvi Second: Piccirillo
Voted Aye: Calvi, Fox, Meier, Morley, Piccirillo, Verdonik
Voted Nay: None
Absent: None

R 2024-55 RESOLUTION AUTHORIZING THE DISCRETIONARY AWARD OF A CONTRACT FOR THE REPLACEMENT OF THE FILTER PLANT ROOF

Moved: Fox Second: Calvi
Voted Aye: Calvi, Fox, Meier, Morley, Piccirillo, Verdonik
Voted Nay: None
Absent: None

R 2024-56 RESOLUTION CALLING FOR THE MODERNIZATION OF THE OPEN PUBLIC RECORDS ACT (OPRA) AND THE SWIFT PASSAGE OF S-2930/A-4045

Moved: Fox Second: Calvi
All in favor

R 2024-57 RESOLUTION ADOPTING THE REVISED RISK MANAGEMENT PLAN OF PJM INTERCONNECTION LLC

Moved: Meier Second: Piccirillo
All in favor

Discussion – EDC – Council unanimously decided it was in the best interest to disband the Economic Development Committee due to lack of interest. Council President Verdonik thanked Sandy Liss, who was in attendance, for all her hard work in the past. Robert Oostdyk confirmed this will need to be done by Ordinance which will be introduced at the next meeting.

Discussion – Memorial Day Parade – Clerk Greco asked for recommendations for a Grand Marshal. She announced the parade would begin in Bloomingdale this year and proceed to Butler Park. She asked who planned to walk and/or attend. She has flags and giveaways for the parade route.

Discussion – Committee to hire replacement – Council President Verdonik said they would like to form a committee to search for a new BA and CFO. It is his opinion that an elected official should not hold this position, rather an experienced candidate. Councilman Calvi and Councilwoman Morley volunteered to join him on this committee.

Discussion – Zoning Ordinance – Mr. Lampmann explained this revised version submitted by the Planning Board was broken down to only include items that did not require public notice. The new Master Plan forthcoming will take care of those items at a later time.

Discussion – Re-appointment of Tax Assessor – Council unanimously agreed to re-appoint John Gillooly.

New / Unfinished Business

- Mr. Lampmann said after speaking with our CFO and Auditor that we need to prepare an application to the Local Finance Board so that utility rate payers are responsible for increases and not our tax payers.
- Mr. Lampmann informed that the Transportation Trust Fund Projects are due and asked for input on what roads to address. He suggested possibly Kakeout, Valley, The Loop, Maple Lake Road (after all the detours), Ace and Whitteck. He asked Council to take a look and provide input.
- Clerk Greco announced 3 new citizen leadership applications were submitted for museum members. All approved.
- Councilman Piccirillo wanted to bring to everyone's attention that kids have been damaging items at the library and in the public bathroom. Mr. Lampmann and Clerk Greco were both familiar with a few incidents. It was suggested to put locking doors on the bathrooms so they are only accessible once given a key from the library desk.

Open Public Discussion

Kate J., 21 Bartholdi Ave, came forward looking for advice and resolutions. She stated there are multiple construction vehicles, boats and vehicles that park on the street and grass next to them at all times. She wants to know if the property is owned by the town or church and if parking is in fact allowed there or not? Council explained it is an area that is constantly complained about and we are working on enforcements.

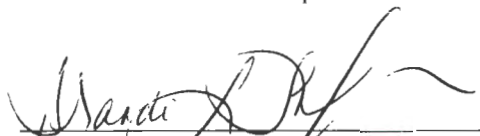
Seeing no one else come forward to speak, a motion was made to close the public portion of the meeting.

Moved: Fox
All in favor
Second: Morley

MOTION TO ADJOURN

Moved: Fox
All in favor
Second: Morley

ADJOURNMENT: 7:40 p.m.



Brandi L. Smith-Greco, Municipal Clerk
Adopted July 10, 2024

Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTION NO. 2024 - 54

RESOLUTION AUTHORIZING THE DISCRETIONARY AWARD OF A CONTRACT FOR THE PURCHASE OF A 2023 FORD POLICE INTERCEPTOR IN AN AMOUNT NOT TO EXCEED \$39,088.00

WHEREAS, the Borough of Butler solicited quotes for the purchase of a 2023 Ford Police Interceptor and Koch 33 Specialized Upfitters provided the lowest quote; and

WHEREAS, the quote obtained is \$39,088.00 inclusive of required features; and

WHEREAS, the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et seq. requires contracts in excess of \$17,500 to be issued in either a fair and open or non-fair and open manner; and

WHEREAS, Koch 33 Specialized Upfitters has provided the required documentation, which is on file in the office of the Borough Clerk, for a non-fair and open contract to be awarded; and

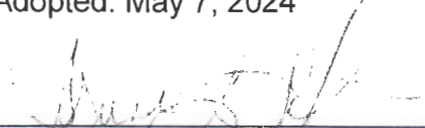
WHEREAS, the Chief Financial Officer has certified that funds are available to make the award within the amount identified; and

WHEREAS, it is the recommendation of the Police Chief and Borough Administrator that the contract be authorized.


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

1. The contract for the purchase of a 2023 Ford Police Interceptor as set forth on a quotation dated April 25, 2024 attached hereto is awarded to Koch 33 Specialized Upfitter in an amount not to exceed \$39,088.00
2. The appropriate Borough Officials are hereby authorized and directed to execute the necessary documents related to this award.

Adopted: May 7, 2024



Brandi Greco, Borough Clerk



Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTION NO. 2024 - 55

RESOLUTION AUTHORIZING THE DISCRETIONARY AWARD OF A CONTRACT FOR THE REPLACEMENT OF THE FILTER PLANT ROOF IN THE AMOUNT OF \$42,792.00

WHEREAS, the Borough of Butler solicited quotes for the replacement of the Butler Filter Plant Roof and EverSeal Roofing provided the lowest quote; and

WHEREAS, the quote obtained is \$42,792.00 inclusive of required repairs; and

WHEREAS, the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et seq. requires contracts in excess of \$17,500 to be issued in either a fair and open or non-fair and open manner; and

WHEREAS, EverSeal Roofing has provided the required documentation, which is on file in the office of the Borough Clerk, for a non-fair and open contract to be awarded; and

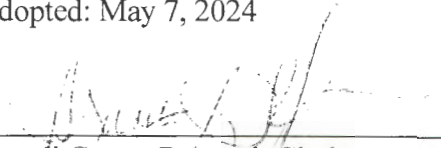
WHEREAS, the Chief Financial Officer has certified that funds are available to make the award within the amount identified; and

WHEREAS, it is the recommendation of the Water Treatment Superintendent and Borough Administrator that the contract be authorized.

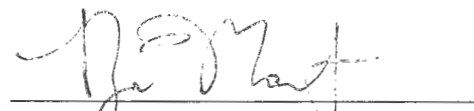
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, County of Morris as follows:

1. The contract for the replacement of the Filter Plant as set forth on a quotation dated April 25, 2024 attached hereto is awarded to EverSeal Roofing in the amount of \$42,792.00
2. The appropriate Borough Officials are hereby authorized and directed to execute the necessary documents related to this award.

Adopted: May 7, 2024



Brandi Greco, Borough Clerk



Ryan Martinez, Mayor

BUTLER BOROUGH
RESOLUTION 2024-56

RESOLUTION CALLING FOR THE MODERNIZATION OF THE OPEN PUBLIC
RECORDS ACT (OPRA) AND THE SWIFT PASSAGE OF S-2930/A-4045

WHEREAS, in the 2002 “lame duck” session the Open Public Records Act (OPRA) was approved to make government records, “readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest” while protecting “a citizen’s right to a reasonable expectation of privacy”; and

WHEREAS, as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and

WHEREAS, in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

WHEREAS, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

WHEREAS, OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney’s fees, which impacts the taxpayers and municipalities who must pay these fees; and

WHEREAS, municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

WHEREAS, due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates for-profit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

WHEREAS, when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don’t want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

WHEREAS, reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

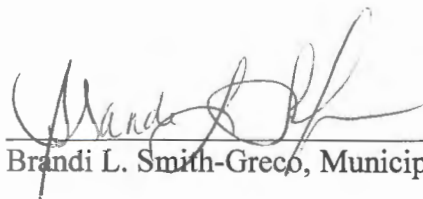
WHEREAS, Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens' personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Borough of Butler in the County of Morris, respectfully request the adoption of much-needed reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and


BE IT FURTHER RESOLVED, as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Senator Anthony M. Bucco, Assembly Representative Aura Dunn, Assembly Representative Christian Barranco, Governor Murphy, and the New Jersey League of Municipalities.

Adopted: May 7, 2024



Brandi L. Smith-Greco, Municipal Clerk



Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTON 2024-57

RESOLUTION ADOPTING THE REVISED RISK MANAGEMENT PLAN OF PJM INTERCONNECTION L.L.C.

WHEREAS, the Borough of Butler, as a member of the Public Power Association of New Jersey ("PPANJ"), is a member of PJM Interconnection, L.L.C. ("PJM"); and

WHEREAS, PJM is the regional transmission organization that coordinates the movement of wholesale electricity in all or parts of 13 States and the District of Columbia; and

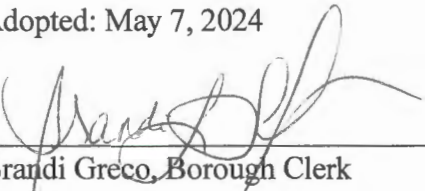
WHEREAS, as part of the Minimum Participation Criteria established by PJM each the Certifying Officer must certify that each participant in PJM markets has in place a risk management policy; and

WHEREAS, the PPANJ has adopted a revised risk management policy for adoption by each member for the PPANJ that participates in the PJM markets;

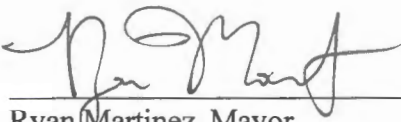
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler that the attached revised risk management policy, included and made part hereof, is hereby adopted.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Executive Director of the PPANJ.

Adopted: May 7, 2024



Brandi Greco, Borough Clerk



Ryan Martinez, Mayor