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COUNCIL MEETING
MARCH 15, 2011
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The Council Meeting of the 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. This was followed by the Pledge to the Flag and a Moment of Reflection.

ROLL CALL

PRESENT: Mayor Robert W. Alviene, Council President Edwin Vath, Councilman Robert Fox, Councilman Stephen Regis, Councilman Raymond Verdonik, Councilman Robert Meier and Councilwoman Judith Woop.

ALSO PRESENT: J. Lampmann, Borough Administrator; R. Oostdyk, from the Office of the Borough Attorney; C. Ashley, Borough Clerk and M. O'Keefe, Borough Clerk

APPROVAL OF MINUTES:

No minutes for approval.

OATH OF OFFICE – MUNICIPAL CLERK

Retiring Borough Clerk Carol M. Ashley administered the Oath of Office to incoming Borough Clerk Mary A. O'Keefe.

MEETING OF PUBLIC AND INVITATION FOR DISCUSSION

Michael Leibrunder, 84 Summit Avenue, wanted to inform the Mayor and Council of problems with his water supply. Mr. Leibrunder presented exhibits of discolored clothing and a bottle of tap water showing the discoloration. Mr. Lampmann explained that the pipes need to be flushed and a flushing schedule will be determined. Mayor Alviene asked that Mr. Leibrunder keep the Council updated.

John Monda, 78 Summit Avenue, concurred with Mr. Leibrunder; additionally he noted that the problem is relatively new. He requested that the Borough provide entire house filters and monitor the progress of the filters. Mayor Alviene thanked Mr. Monda for his suggestion, noting that he will consider all suggestions and discuss the issue with the Water department.

Arlene Molica, 80 Ridge Road, concurred with Mr. Liebruder and Monda regarding the water discoloration issue.

Seeing no one else come forward to speak this Public Portion of the Meeting was closed.

Moved: Fox

Second: Regis

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REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Tax Collectors Report – February 2011 – \$3, 715,656.64

Power & Light/Water & Sewer Department – February 2011 - \$2,869, 882.23

Councilwoman Woop reported on the following:

The contract for garbage hauling is one area that spending could be decreased by increasing initiatives in recycling. The new registrar will be appointed at the March 23 meeting of the Board of Health.

Councilman Meier reported on the following:

The electric utility has been performing repairs of transformers, leaning poles. Additionally, they have been working on the installation of a new transformer in West Milford.

Councilman Verdonik reported on the following:

The 12” water main on Route 23 in West Milford has been repaired. Budget hearings will take place on March 23.

Councilman Regis reported on the following:

The Country store has been experiencing some issues with children, the Association met with Mr. Bonney and he will install cameras to alleviate this issue in the future.

Councilman Fox reported on the following:

Potholes will be filled with hot asphalt patches as the asphalt plant has reopened. Final inspections on Kakeout Road to be done, the bid is scheduled to go out by the end of March.

Council President Vath reported on the following:

The Board of Health introduced and advertised Ordinance 240-4; state aid amounts will remain the same as 2010, diligence on behalf of Mr. Lampmann, Mr. Kozimor and the Finance Committee have brought the budget closer to meeting the 2% cap. The budget will be prepared for introduction at the April meeting and adopted in May.

Mr. Lampmann informed the Mayor and Council that he had applied for additional funding from Community Development Block Grants for infrastructure repair on Arch, 2nd, 3rd and Main Street, a decision is expected in mid-April.

The Farmers Market has relocated to the front of the new redevelopment zone taking at least the first two slots. All affected parties are in agreement regarding change of location.

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Additionally, the Public Power Association is monitoring a bill that allows utilities to purchase power jointly. The legislation was passed by the Assembly and is being considered in the Senate. Mr. Regis thanked Mr. Lampmann for his work on the legislation currently being considered.

Mayor Alviene noted that the Department of Transportation has made minor adjustments to the intersection of Route 23 and Kiel Avenue, in response to pressure exerted by the Butler Police, Mayor and Council.

APPROVAL OF VOUCHERS AND PAYROLLS

R 2011-24 AUTHORIZATION FOR PAYMENT OF BILLS AND VOUCHERS

Moved: Vath

Second: Fox

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

Voted Aye with abstention on fire department bills by Vath and Meier

Voted Nay: None

R 2011-24 approved

PRESENTATION OF CORRESPONDENCE, PETITIONS

Nothing to present

PUBLIC HEARINGS

CONFIRMATION OF SIDEWALK ASSESSMENTS – MYRTLE AVENUE

R 2011-25 RESOLUTION CONFIRMING SIDEWALK ASSESSMENTS - MYRTLE AVENUE

Lorraine Tutzauer, 55 Myrtle Avenue asked that the Borough inspect cracks on the lip of the curbing by her driveway. Paul Darmofalski, Borough Engineer will contact Ms. Tudsauer to arrange an inspection.

Gerard Tutzauer, 55 Myrtle Avenue reported that some motorists are not coming to a full stop at the Stop sign. With Police presence the issue was non-existent, he feels that perhaps with additional lighting or reflective tape on the sign will have a greater impact.

Chris Weatherby, 63 Myrtle Avenue, noted that the grass and dirt in front of his home has not been filled in. Mr. Darmofalski will inspect this area.

Ralph Reed, 2 Richard Court, agreed that people are disregarding the Stop sign; however, additional lights on the Stop sign would have a negative impact on his quality of life, he agrees that additional police presence would help. He also noted that plowing after all the recent snowstorms created a safety issue for the schoolchildren, there were no paths available on the sidewalks, so they needed to walk in the street.

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Mary Cavanaugh, 59 Myrtle Avenue, concurred with her neighbors regarding the Stop sign and Police presence. Additionally, she has some concerns regarding grass replanting on her property.

Christine Argenio, 1 Richard Court, complimented the Borough on the sidewalk construction project; however, she is concerned with the distance from the street to her yard. She is also concerned about the health of a tree on her property since the sidewalk construction; she is to contact the Borough should the tree die. Mr. Darmofalski noted that the sidewalks as constructed are uniform in size.

Councilman Verdonik noted for the record that the weather this year was awful.

Moved: Fox Second: Vath

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

Voted Nay: None

ORDINANCES FOR INTRODUCTION

None

ORDINANCES FOR ADOPTION

Ordinance 2011-1 ORDINANCE AMENDING CHAPTER 196 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BUTLER AND REVISING THE REQUIREMENT FOR SNOW AND ICE REMOVAL FROM SIDEWALKS

Introduced: February 15, 2011

Advertised: February 20, 2011

Public Hearing Conducted: Seeing no one come forward to speak, the public hearing was closed on this ordinance and this ordinance only.

Moved: Fox Second: Regis

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

Voted Nay: None

RESOLUTIONS

R 2011-26 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER APPROVING AN AGREEMENT WITH THE BUTLER POLICE ASSOCIATION 2011-2012-2013

Moved: Fox Second: Vath

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

Voted Nay: None

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R 2011-27 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER APPROVING THE 2011-2012-2013 BLUE COLLAR WORKMANS ASSOCIATION CONTRACT

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

R 2011-28 TRANSFER RESOLUTION

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

R 2011-29 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER AWARDING A CONTRACT FOR THE PURCHASE OF A BACKHOE

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

R 2011-30 AWARDING CONTRACT FOR THE PURCHASE OF AN AMI SYSTEM FOR THE ELECTRIC UTILITY

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

R2011-31 RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE ELECTRIC DEPARTMENT

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

R2011-32 RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE

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

R2011-33 RESOLUTION AUTHORIZING 2011 SALARIES FOR NON-UNION MUNICIPAL EMPLOYEES OF THE BOROUGH OF BUTLER

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

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R2011-34 RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO
THE MORRIS COUNTY OPEN SPACE AND HISTORIC PRESERVATION TRUST FUND

Moved: Vath Second: Regis

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

Voted Nay: None

UNFINISHED BUSINESS

Nothing to report.

INVITATION FOR DISCUSSION FROM PUBLIC

No comments

Motion to go into Executive Session for Personnel Issues and Contract Negotiations:

Moved by: Fox Second: Vath

All in favor.

Meeting reopened at 8:29 p.m.

Motion to adjourn

Moved: Fox Second: Regis

Voted Aye: Vath, Regis, Verdonik, Meier, Woop

Voted Nay: None

Adjournment: 8:30 p.m.

Adopted:

MAYOR ROBERT W. ALVIENE

Attest:

Mary A. O'Keefe, Municipal Clerk

Dated: