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COUNCIL MEETING
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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; J. Kozimor, Chief Financial Officer; C. Wright, Tax Collector; P. Krattiger, Office of the Tax Collector; R. Oostdyk, from the Office of the Borough Attorney; and M. O'Keefe, Borough Clerk

APPROVAL OF MINUTES:

January 18, and March 15, 2011

Moved: Fox

Second: Vath

All in favor.

MEETING OF PUBLIC AND INVITATION FOR DISCUSSION

Dianne Ostroske, 104 River Place, appearing on behalf of her neighbor Paula Maltempo wanted to inform the Council that Ms. Maltempo had was still awaiting pick up of a metal bed frame. She had scheduled pick up twice and each time the item was not picked up, she would like it picked up immediately. Additionally, regarding the Business Improvement district while it is exciting to see new businesses occupying the storefronts at River Place, she would like to know what is being done about the former martial arts studio that is an eyesore.

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

Moved: Fox

Second: Vath

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Tax Collectors Report –April 2011 – \$2,104,552.38

Power & Light/Water & Sewer Department – April 2011 – \$2,356,324.76

Council President Vath reported on the following:

The Board of Health had a blood analysis screening with sixteen residents participating, a woman's health clinic with eight women participating and a child health clinic with five children and four attending. The TDAP adult vaccine was administered to eleven residents. The Next Board of Health meeting is scheduled for May 25, 2011. Additionally, he wanted to commend all the departments for their effort to keep the 2011 Municipal Budget under the 2% Cap.

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Ingrid and Craig Brinster, 21 Powder Horn Drive, Kinnelon, are appearing before the Council this evening to request the Council waive interest charges and penalties on delinquent property taxes. Mrs. Brinster stated she came on December 30, 2010 to pay the taxes and Borough Hall was closed, she returned on January 3, 2011, but needed a breakdown on 1284 Route 23, Block 72.02, Lot 38.01 taxes for the period from January 1, 2010 through May 20, 2010 and then May 21, through December 31, 2010. Mrs. Brinster stated she would go home and calculate the amount owed and return the next day to pay the bill. Mrs. Brinster noted she was not verbally informed of the additional penalty, she would accrue if the taxes were not paid. In February, she received a bill including the additional penalty and contacted Ms. Wright regarding the penalty, what remedy was available regarding the penalty, she was told that she could bring the matter before the Borough Council. Ms. Krattiger gave her version of the events in question. Council adjourned to closed session for further discussion of this matter (resolution attached).

Motion by Fox
Yes all.

Second by: Vath

Upon return from closed session, Council informed Mr. and Mrs. Brinster that their request to waive the penalty is denied. The request for a waiver of interest accruing on the penalty is granted with the condition that the interest will be waived if the outstanding property taxes and penalty are paid within thirty (30) days of this date, (resolution attached).

Councilman Fox reported on the following:

The Kakeout Road Improvements project had a pre-construction meeting, project is ready to go with construction scheduled to begin the week after Memorial Day, with work scheduled for completion prior to Labor Day.

Councilman Regis reported on the following:

The Police Department has just received full accreditation from the New Jersey Law Enforcement Accreditation Commission in conjunction with the New Jersey State Association of Chiefs of Police; this is a prestigious national designation. The process though very involved will result in savings for the Borough with liability insurance.

Councilman Verdonik reported on the following:

Water flushing is scheduled for completion on May 18, additionally regular maintenance is being performed. Regarding wastewater, the Borough assisted on two backups. Two Bridges Sewer Plant Capital Improvement project is scheduled for completion in September, all member communities payments for the improvements will be due beginning in 2012. The amounts owed will be against the Cap which will result in approximately a 3.5% increase to the Cap. Mr. Fox agreed noting that all affected municipalities should unite, as there is strength in numbers. Two Bridges has a sample resolution and Mr. Verdonik will provide a copy for review by the Mayor and Council and would like the Council to adopt this resolution and forward copies onto the State.

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Councilman Meier reported on the following:

The new digger derrick truck is already in use; new riser poles were installed along with new spacer cables. Poles have been framed out on Hamburg Turnpike; additional work has been done on Kinnelon Road to tie into the Decker Road lines.

Councilwoman Woop reported on the following:

Clean Communities Annual Clean Up is scheduled for May 21 from 10:00 a.m. to 12:00 noon with help from the Butler Methodist Church in addition to several community groups. The Methodist Church and the Department of Public Works painted Stonybrook Wall with help from the Boy and Girl Scouts. The kick off for the Memorial Day Parade will be at John and George Streets at 9:00 a.m.

APPROVAL OF VOUCHERS AND PAYROLLS

R 2011-50 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 2011-50 approved

PRESENTATION OF CORRESPONDENCE, PETITIONS

Appointment of Russell H. Hannah to the Museum Committee to fill a vacancy.

The Council approved the appointment.

Yes all.

PUBLIC HEARINGS

None

ORDINANCE FOR ADOPTION

2011-6 CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)

Introduced: April 21, 2011

Advertised: April 24, 2011

Public hearing conducted, seeing no one come forth to speak the public hearing was closed.

Moved: Fox Second: Regis

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

Voted Nay: None

Ordinance 2011-6 adopted.

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2011-51 ADOPTION OF THE 2011 MUNICIPAL BUDGET

Public hearing conducted, seeing no one come forth to speak the public hearing was closed.

Moved: Fox

Second: Regis

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

Voted Nay: None

ORDINANCES FOR INTRODUCTION

2011-7 AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF \$25,000 FOR THE IMPROVEMENTS TO MUNICIPAL BUILDINGS AND GROUNDS FROM THE GENERAL CAPITAL –CAPITAL IMPROVEMENT FUND, WATER UTILITY CAPITAL –CAPITAL IMPROVEMENT FUND AND THE ELECTRIC UTILITY CAPITAL – CAPITAL IMPROVEMENT FUND

Moved: Fox

Second: Vath

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

Voted Nay: None

Public hearing scheduled for June 21, 2011.

2011-8 AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF \$14,215 FOR THE ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND

Moved: Fox

Second: Verdonik

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

Voted Nay: None

Public Hearing Scheduled for June 21, 2011

2011-9 AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF \$22,000 FOR A STREET SIGN REPLACEMENT PROGRAM AND FOR IMPROVEMENTS TO STREETS AND ROADS EQUIPMENT FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND

Moved: Vath

Second: Meier

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

Voted Nay: None

Public hearing scheduled for June 21, 2011.

2011-10 AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF \$25,000 FOR THE PURCHASE OF WATER METERS FROM THE WATER UTILITY CAPITAL – CAPITAL IMPROVEMENT FUND

Moved: Vath

Second: Fox

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

Voted Nay: None

Public hearing scheduled for June 21, 2011.

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2011-11 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20 OF THE CODE OF THE BOROUGH OF BUTLER BY ESTABLISHING THE POSITION OF PURCHASING AGENT

Moved: Regis Second: Fox
Voted Aye: Vath, Fox, Regis, Verdonik, Meier and Woop
Voted Nay: None
Public hearing scheduled for June 21, 2011.

2011-12 BOND ORDINANCE APPROPRIATING \$470,000 AND AUTHORIZING THE ISSUANCE OF \$470,000 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS ELECTRICAL SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS OR PURPOSES
Supplemental debt statement is on file as of this date.

Moved: Fox Second: Verdonik
Voted Aye: Woop, Meier, Verdonik, Regis, Fox and Vath
Voted Nay: None
Public hearing scheduled for June 21, 2011.

2011-13 AMENDING AND SUPPLEMENTING CHAPTER 143, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BUTLER AMENDING THE PERMITTED SIGNS IN THE CENTRAL BUSINESS DISTRICT AND REDEVELOPMENT ZONE

Moved: Fox Second: Vath
Voted Aye: Vath, Fox, Regis, Verdonik, Meier and Woop
Voted Nay: None
Public hearing scheduled for June 21, 2011.

ORDINANCES FOR ADOPTION

2011-3 BOND ORDINANCE APPROPRIATING \$350,000, AND AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS

Introduced: April 21, 2011
Advertised: April 24, 2011
Public hearing conducted, seeing no one come forth to speak the public hearing was closed.
Moved: Fox Second: Regis
Voted Aye: Vath, Fox, Regis, Verdonik, Meier and Woop
Voted Nay: None
Ordinance 2011-3 adopted.

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2011-4 ORDINANCE PROVIDING FOR THE APPROPRIATION OF \$22,000 FOR THE ACQUISITION OF EQUIPMENT FOR THE FIRE DEPARTMENT FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND

Introduced: April 21, 2011

Advertised: April 24, 2011

Public hearing conducted, seeing no one come forth to speak the public hearing was closed.

Moved: Fox

Second: Regis

Voted Aye: Fox, Regis, Verdonik and Woop

Voted Nay: None

Council President Vath and Councilman Meier recused themselves from voting on this ordinance due to membership in the Fire Department

Ordinance 2011-4 adopted.

2011-5 AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF \$20,500 FOR THE ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT FORM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND

Introduced: April 21, 2011

Advertised: April 24, 2011

Public hearing conducted, seeing no one come forth to speak the public hearing was closed.

Moved: Fox

Second: Regis

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

Voted Nay: None

Ordinance 2011-5 adopted.

RESOLUTIONS

R 2011-52 RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE ELECTRIC DEPARTMENT

Moved: Fox

Second: Vath

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

Voted Nay: None

2011-53 RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE

Moved: Fox

Second: Vath

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

Voted Nay: None

R 2011-54 AUTHORIZING PURCHASE OF A BRUSH CHIPPER FROM A STATE CONTRACT AUTHORIZED DISTRIBUTOR

Moved: Fox

Second: Regis

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

Voted Nay: None

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R 2011-55 AMEND CAPITAL BUDGET

Moved: Vath

Second: Fox

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

Voted Nay: None

R 2011-56 AUTHORIZING A SETTLEMENT AGREEMENT AND RELEASE BETWEEN THE BOROUGH OF BUTLER AND CHARTIS INSURANCE COMPANY REGARDING COMBE LANDFILL SOUTH

Moved: Regis

Second: Vath

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

Voted Nay: None

Mr. Oostdyk noted that this is a partial payment of costs previously expended; the result of this is that one of the insurers will reimburse costs paid by the Joint Insurance Fund, of which the Borough is a member, thus reducing costs.

R2011-57 RESOLUTION BID AWARD – AUTHORIZING THE AWARD OF THE BARTHOLDI AVENUE WATER MAIN REPLACEMENT IMPROVEMENT CONTRACT

Moved: Verdonik

Second: Meier

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

Voted Nay: None

UNFINISHED BUSINESS

Nothing to report.

INVITATION FOR DISCUSSION FROM PUBLIC

Deborah Sammon, 80 Summit Avenue, inquired as to the start date and time for paving of Kakeout Road. Mr. Lampmann explained that the paving is currently scheduled for mid to late July with work starting at 7:00 a.m. with the extended hours for paving to either 5:00 or 6:00 p.m. in the hope of lessening the inconvenience to the residents. Road closure during the evening commute will not occur during prep work, only during paving. The normal work hours will be 7:00 a.m. to 3:30 p.m. Additionally, Ms. Sammon requested the status of the water discoloration issue, Mr. Lampmann noted that we are approximately four weeks into the treatment and he has not received any negative comments.

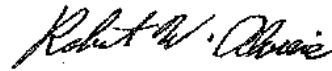
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Motion to adjourn
Moved: Fox
Yes all.

Second: Regis


Adjournment: 8:15 p.m.



Adopted:

MAYOR ROBERT W. ALVIENE

Attest:


Mary A. O'Keefe, Municipal Clerk

Dated: