

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
1

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, Councilman Robert Fox, Councilman Sean McNear, Councilman Robert Meier, Councilman Stephen Regis, Councilman Raymond Verdonik and Council President Vath

ALSO PRESENT: J. Lampmann, Borough Administrator; R. Oostdyk, Borough Attorney, Jack Alderton, Risk Management, Chief Chimento, Butler Police Department, R. Westdyk, Fire Official and M. O'Keefe, Borough Clerk.

APPROVAL OF MINUTES:

April 7, 2015 Council Workshop Meeting and April 21, 2015 Regular Council Meeting

Moved: Fox

Second: Regis

Voted Aye: Fox, McNear, Meier, Regis and Verdonik

Voted Nay: None

Abstain: Vath

MEETING OF PUBLIC AND INVITATION FOR DISCUSSION

Peggy Spranzani, 32 Cleary Avenue appearing on behalf of the Butler Museum, provided the Mayor and Council with a brochure detailing "The Pathways of History Tour" scheduled for October 10 and 11, 2015. Butler Museum will participate in the event; however, the grand reopening of the museum will be scheduled to accommodate the Mayor, Council and the Morris County representatives. She would also like to thank Jim Lampmann and the Borough of Butler for the use of storage space for safekeeping of the museum artifacts. Installation is complete on the security cameras; they are waiting for an estimate to update the alarm system. The line of communication between the Museum and the Borough has improved; the Museum will comply with all ADA requirements, including the parking spot at the front of the Museum. There are some building issues to be addressed, but the Butler Museum will open in October. She invited those present to come to the Museum to see what has been done and what the future projects will be done by the October opening.

Mayor Alviene thanked Ms. Spranzani and those who volunteered for making the opening possible.

Bob Norman, 31 Cascade Way noted that approximately four months ago, there was a water main break at Decker Road and Kiel Avenue, in front of Burger King, questioned whose is responsible for returning the road to its original state.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
2

Mr. Lampmann explained that the Borough would return the road to its original condition; they will use the Carey Avenue contractor to mill the road, so the Borough may install a better patch. **Robin Struble, 35 Lakeside Avenue** Mr. Budesheim told him that there would be discussion on portable garages. Mr. Oostdyk noted that he is referring to Ordinance 2015-12, discussion on that would be at a later point in the meeting.

Seeing no one else come forward, motion to close this public portion of the meeting:
Moved: Fox Second: Regis
All in favor.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman McNear noted that three home visits were conducted in April, additionally; there will be a child health care conference on June 22; please contact the Borough for scheduling. There is a Blood Pressure Screening taking place at Borough Hall on July 20 from 10:00 a.m. to 11:00 a.m.

Councilman Meier noted that di-electric testing is complete on insulated sticks and tools as is done every two years. Delivery is complete on a replacement digger derrick truck. Installation of upgrades at various locations is complete along with the installation of new equipment for two commercial buildings. Riverdale and West Milford were quiet, all meters were read and recorded, delinquent accounts were addressed.

Councilman Verdonik reporting that the Water department has been quiet this month, in wastewater the repairs are complete on Ogden Terrace, done by funding from a Community Development Block Grant.

Council President Vath noted that there is not much to report on Finance, revenues and expenses are as projected. All 2015 Capital Ordinances have been adopted; the 2016 budget process begins in a few months.

Councilman Fox reporting on roads noted that we are waiting for an opening with Tilcon to get the asphalt needed for approximately one half dozen roads for 2015. Work is being done on basins and any other required work prior to starting paving. Carey Avenue is almost complete, paving should be done somewhere in the middle of July.

Councilman Regis noted that there have been a number of burglaries in the area, and thankfully, the Butler Police Department has solved the case, arrests were made. Chief Chimento has written letters of appreciation to Patrolman Schmiedhauser, Lieutenant Moeller and Patrolman Guttuso thanking them for the good work done. The Public Safety Committee has met many times on the changes to the fire department section of the Butler Code Book, ordinance No. 2015-14 and is on the agenda for adoption this evening.

Mayor Alviene noted that our three new police officers are doing well.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
3

Tax Collectors Report – May 2015 – \$3,778,226.13
Power & Light/Water & Sewer Dept. – May 2015 – \$1,926,495.22

APPROVAL OF VOUCHERS AND PAYROLLS

R 2015-54 Authorization for Payment of Bills and Vouchers

Moved: Vath Second: Fox

Voted Aye: Fox, McNear, Regis and Verdonik

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

Voted Nay: None

R 2015-54 approved

PRESENTATION OF CORRESPONDENCE, PETITIONS

Letter from the Aaron Decker School regarding School Cleanup Day, thanking the Borough for their donations of clean up and gardening supplies and plants, allowing the students to make a beautiful butterfly garden.

ORDINANCE(S) FOR INTRODUCTION

None

ORDINANCE(S) FOR ADOPTION

2015-12 Ordinance Amending Chapter 143 of the Revised General Ordinances of the Borough of Butler (Land Development Ordinance)

Introduced: May 19, 2015

Advertised: May 27, 2015

Mayor Alviene opened the meeting to the public on this ordinance and this ordinance only.

Robin Struble, 35 Lakeside Drive, had spoken with Mr. Budesheim regarding changes to the current code. He received a letter from Mr. Budesheim stating he did not comply with the ordinance, as he has a portable garage for storage of his truck. Councilman Fox noted that this is not a change to the code; the section of the code is being clarified, to define what can and cannot be erected. A variance application may be submitted to the Board of Adjustment, if an application is filed that should be sufficient to stay the enforcement of the violation notice.

Councilman Fox seeing no one come forward made a motion to closed this public portion of the meeting, second by Councilman Regis

All in favor

Moved: Fox

Second: Regis

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

Voted Nay: None

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
4

2015-14 An Ordinance Amending Chapter 21 of the Revised General Ordinances of the Borough of Butler (Fire Department)

Introduced: June 1, 2015

Advertised: June 7, 2015

Mayor Alviene opened the meeting to the public on this ordinance and this ordinance only.

Prior to discussion on this ordinance Councilman Meier and Council President Vath recused themselves on this ordinance and left the room completely.

James Neill, 100 Kinnelon Road is here this evening to speak about this ordinance, noting that he previously requested that out of town residents be grandfathered in, if they meet all requirements as far as percentages go. He also stated that the Butler Fire Department is a family and the Community is a family. He stated that he was told it does not matter who fights the fires or where they live as long as they show up and fight the fire. Required training has begun seven people attended; three are out of town residents. He noted that the same people show up for all the events. He feels that it is a lot for the individual who works all day and then must attend classes two nights and get up and go to work the following day.

John Futcher, Jr., 10 Hillcrest Avenue noted that the Fire Department could not afford to lose any more members. There are people who live close to the Firehouse and do not show up, yet those that are out of town do show up at fires and events.

Adam Charman, VFW Commander Members of the VFW Post have joined the Fire Department there is a constant battle for membership in Butler, with all volunteer organizations struggling for membership. While he is sure, there are things that need change, he feels that the members from out of town should be allowed to remain.

Erica Goldsmith, 2 Lakeview Drive, Peekskill currently resides in Peekskill, New York, however she was the girlfriend of deceased Assistant Chief Dennis Lonagan. She read the following letter to the Mayor and Council.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
5

Erika Goldsmith
2 Lakeview Drive Apt. C2
Peekskill NY 10566

Borough of Butler
1 Ace Rd.
Butler, NJ 07405

Re: Fire Dept. Ordinance

To Whom It May Concern,

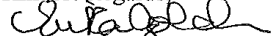
I am the girlfriend of deceased Assistant Chief Dennis Lonagan. Dennis devoted most of his life to the fire service, particularly in the area of safety. At some point, an ordinance similar to this had been mentioned prior to his death. This saddened Dennis as it could have meant the end of his lifetime service to the Fire Dept. I was often by his side during volunteer events, including the drill at 9 Ace Rd. where Captain Neill led the charge. I was the record keeper at this multi-town drill and was able to watch Captain Neill in action. Captain Neill has always shown his dedication and desire to learn and often consulted Chief Lonagan in a meaningful fashion. Dennis always spoke fondly of Captain Neill's enthusiasm, knowledge and willingness to learn.

I cannot speak to the Borough's reasons for creating such an ordinance, but what I can speak to is the dedication, loyalty and the true brotherhood I witnessed personally. After Dennis passed, one of his brothers was by my side morning, noon and night. This was not just through the wake and funeral, but many months to follow. Chief Neill and Captain Neill quite literally held me up for months as I grieved and packed to move back to New York from where I come originally. They exemplified "no man or his family left behind". Dennis would have been so proud because the brotherhood and fire safety meant the world to him. In addition to the Neill's, I was also supported by so many including John Futcher, John Elsea, Donald Moran, Tommy Smith and Nina Ferrara and Lea Futcher as well as other members of the Ladies Auxiliary.

I cannot speak to percentages, but I do know that both Chief Neill and Captain Neill were at most every fire call. Taking away their officer positions over a technicality only hurts the department as a whole and puts the residents of the Borough of Butler at risk. I no longer reside in New Jersey as I felt the need to move back home closer to my family for support, but if I were a resident of the Borough of Butler, I would have grave concerns over a decision that is clearly detrimental to the safety of the Borough.

I respectfully ask you to reconsider your decision and make protecting the community the priority, not making a completely invalid point as punishment to those who have dedicated their lives to protecting the community.

Kindest Regards,


Erika Goldsmith

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
6

Lyn Dion, 77 Marion Avenue noted she has been a resident of Butler for 35 years; she has raised her children here and has a business in the Borough. She read the ordinance and it is her opinion that it will eviscerate the department and that morale in the department is low due to the proposed change. Approximately two weeks ago, while at her business there was a fire call during business hours she later found out Captain Neill and two probationary firefighters responded to the alarm. According to Ms. Dion, Occupational Safety and Health Administration (OSHA) requirements call for a minimum of four firefighters so they may follow the two in two out procedure. People who live in this town do not work in this town, why would you want to get rid of people who show up and many companies do have out of town members. Ms. Dion remarked that she is aware of various OSHA violations, trucks will not be recertified, equipment is faulty, insurance issues will arise due to the absence of a ladder truck. Safety standards are not being followed, firefighters are using torn coats, bad equipment, firefighters are sent into buildings without radios or non-working radios, and the radios need replacement. She views the demand for the extra training as draconian and if the state mandates are being followed that should be enough as the additional training is so burdensome that it will discourage people from staying or joining. It is her opinion that that funding be spent on things that matter such as radios, equipment as opposed to training. Additionally, there should be perks and benefits such as LOSAP (Length of Service Award Program), clothing allowances, as compensation for their service. It is her opinion that nothing is done for the firefighters, whereas Tri-Boro First Aid gets many perks and that other municipalities provide various benefits monetary and otherwise for their members, but at least they receive some benefits.

Elisa Fantozzi, 2nd Vice-President of the New Jersey State Exempt Firemen's Association wanted to remind the Mayor and Council that the members do this free of charge, they provide this service to the Community. She asked that the Mayor and Council work with the members to iron out these differences.

John Trentacoste, 66 Highland Avenue, Bloomingdale is present this evening to support the Butler Fire Department, noting the fine job they do. He asked that the Mayor and the Council applaud the wonderful job these volunteers do.

Pete Stagg, 6 Aten Court is not a member of the Butler Fire Department, but his family is very much involved in the Kinnelon Fire Department, with family members being a former Chief and a second Assistant Chief, so he is very familiar with the training requirements necessary. It is his opinion that this is not advantageous to the community, nor does it make sense, some of the subjects included in these courses have no bearing on a volunteer department.

Gary Kaiser, Hanover Township addressed the Mayor and Council noting that he was told that they were micromanaging the department. He questioned the required training and time allowed for its completion, voting procedures, percentage requirements, residency requirements and no junior membership program. He feels that the Mayor and Council should meet with the Fire Department and prepare a better ordinance.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
7

Ken Montanye, 117 Boonton Avenue former member of Kinney Hose, feels that this is a politically motivated vendetta; he does not feel that this ordinance is beneficial to the community, and is a great disservice to the community.

Annette Vanderoff, 23 North Western Avenue noted that she has been a resident for 29 years. She does not want her taxes increased for a “paid” fire department; she feels that there should be some way to get more members. She requested that the ordinance not be passed.

Peter Shepard, 81 Summit Avenue is a member of the Butler Fire Department for 42 years; his father and son were members. He feels that the ordinance was drafted without appropriate collaboration of the Butler Fire Department. He asked for additional consideration prior to passage of this ordinance.

Doug Morse read a letter received from Eric Miller, Chief of the Miles Township, Pennsylvania Fire Department. Chief Miller noted that his department currently has 52 active firefighters, and stressed the need to keep volunteer firehouses open, as this is a savings to taxpayers. The letter goes on to request additional thought be given to the ordinance prior to passage. Mr. Morse informed those present that there is a petition online that has approximately 1100 to 1200 signatures from all over the country. He asked that the ordinance be reconsidered.

Richard Dean, 29 South Gifford Street noted his family has been members of the Fire Department since 1912. He also noted that there are current members whose families have spanned generations, one who recently relocated outside the five-mile radius; however, he is currently employed by the Butler Board of Education and is still in the Borough for a good portion of the day. Regarding the structure fire on Memorial Day, Captain Marion was injured when he fell off the structure and suffered injuries, as a result of these injuries he cannot attend the required courses and he is very upset, about this and feels that passage of the ordinance should be postponed.

Victor France, Morristown President, North Jersey Volunteer Firefighters Association noted that he has listened to all the comments; he stated there are not many communities that require residency. He also stated that this might limit the amount of daytime volunteers available. He urged the Mayor and Council to sit down with the Fire Department and go over the ordinance.

Tracey Dion, 62 Bartholdi Avenue wanted to remind the Mayor and Council that volunteerism is the heart and spirit of the way of American Life. She asked that the ordinance be reviewed that in her opinion the safety of the town is in jeopardy.

Michael Siek, 32 Wilshire Terrace was a Butler resident and Borough employee for 33 years. He wanted to give some “kudos” to the Butler Fire Department. Through the years, fewer residents work in the Borough thus lessening the amount of firefighters available during daytime hours. In his opinion, this ordinance is not needed, and questioned the reasoning behind this ordinance.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
8

Joe Usinowicz, 96 Kakeout Road noted that he has been a member for 46 years. He is a little disappointed as to why the two members of the Council that are firefighters must be excused so as not to hear the problems, he also questioned the Council taking over the fire department as far as making rules, when the bylaws should be sufficient.

Allison Allison, 39 Brook Street noted that her family has been in Butler since the 1920's; 14 members of her family have been in the Butler Fire Department. Currently there are three members of her generation serving on the department. In her opinion it does not matter where someone lives, the person is volunteering. She mentioned that she feels someone from the governing body should have visited the injured firefighter.

Captain Brian Neill, 27 Della Ave, Pompton Plains noted that he is a third generation firefighter in Butler. He stated that this ordinance is taking something emotional away from him; he has 78% in fire calls alone. He is currently employed in the Borough, his office is located on Main Street in Bloomingdale, and he is available for fire calls and has respect for the Borough, and enjoys being a member of the department with the brotherhood in attendance this evening. He has worked very hard to become a Captain and has all the required training.

Edward Meyer, 21 Cleary Avenue did not plan to speak this evening, however, while things may look good on paper they might not work in reality. He feels that based on what he is hearing there was no interaction between the Borough Council and the Butler Fire Department.

Councilman Regis informed those present that both Chiefs have been present at every meeting where the changes were discussed and some changes occurred as a result.

Mayor Alviene noted that the governing body has not spoken, as it would be unfair to those present to go back and forth and banter one on one with each speaker. He stated that he and the Council members are residents and they care about the Borough and its' residents. The Committee meetings took place with the Butler Fire Department, which the Mayor and Council respect. These changes are being made because of the Fire Department bringing these issues to the governing body and the administrator. Regarding equipment, funding is available for purchase of equipment. Issues have occurred that require resolution; problems occur in all departments not just the fire department and there are procedures in place for all departments. The Mayor noted that additional training might be needed, while no blame is being placed on the recently injured firefighter as he was in the process of doing his job. Perhaps the department needs to be brought into the 21st century; maybe there are steps that can be taken to make the job safer, so that no one is injured. An expert was brought in to discuss and evaluate the ordinance as previously adopted, he reviewed the ordinance to make improvements and make the department better and safer for residents of the Borough and firefighters. The Mayor and Council did not speak so those present could speak, this is not a contest, and there is no winner the purpose of this ordinance is to do the right thing.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
9

Chief Neill, 100 Kinnelon Road, Kinnelon addressed the Mayor noting that the prior version of the ordinance was tabled at the May meeting. It was to be discussed at the June meeting; he feels that more discussion is needed.

Councilman Regis noted that these changes were previously discussed, the Fire Department had input.

Mayor Alviene had to remind those present to remain civil and orderly. Mayor Alviene noted that the Fire Department ordinance was moved up on the June 1, agenda to accommodate those firefighters present so they would not have to stay for the entire meeting.

Chief John Futcher, 10 Hillcrest Avenue after the ordinance was dropped in May, there was supposed to be discussion on the ordinance at the June meeting.

Mayor Alviene noted that the Borough hired an expert, Jack Alderton to review and draft the ordinance.

Jack Alderton noted his part of his job was to review and rewrite the Fire Department ordinance with a trained eye as an outsider. He commended the Butler Fire Department for the depth that it shows, noting that it is a valuable resource in both Morris County and its' mutual aid group. He is a believer in the National Fallen Firefighters Foundation, which stresses that no one gets hurt and everyone goes home. He explained that there are towns in the United States that cannot afford gear for all the firefighters so the gear is turned over to the next firefighter to allow them to fight the fire. At Mayor Alviene's request, Mr. Alderton explained the residency requirement stating there are three reasons "ownership, transparency and accountability" in adding this to the ordinance. Mayor Alviene asked those present to allow Mr. Alderton to finish speaking.

Chief Neill 100 Kinnelon Road explained that he has already contacted various fire academies and has scheduled training at the Butler Firehouse for Mondays and Thursdays. He did state however, that while the training is great it is also time consuming.

Councilman McNear thanked everyone for coming out this evening; he reminded everyone that the objective of the Mayor and Council is not to kick anybody off the Butler Fire Department. He went onto to read a portion of the ordinance noting that no one is being kicked off; four members live outside of the five-mile radius. The members who reside within the five-mile radius outside of Butler may remain as members, but cannot become nor remain as officers. The ordinance had not been reviewed in quite some time and that is what has occurred.

Mayor Alviene asked those present allow the Council to voice their thoughts on the ordinance.

Councilman Verdonik expressed his admiration for the Fire Department and the fact that they are volunteers. The changes were required to address some of the issues brought to the attention of the Mayor and Council. The Mayor and Council did not unilaterally decide to take over the

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
10

Fire Department, however, it is the responsibility of the Mayor and Council to correct these issues and that is what brought these changes about.

Councilman Fox noted that the majority of our departments are up to date our Police Department is accredited. The reason for the hiring of Mr. Alderton was to bring the department up to date, and keep in line with the state mandates. The Mayor and Council are looking for accountability.

Councilman Regis noted that he has tremendous respect for the Butler Fire Department; he is impressed with the support shown for the Butler Fire Department. The intent was not to hurt the Fire Department; he would like to vote on the ordinance at this time.

Peggy Spranzani, 32 Cleary Avenue does not know much about the Butler Volunteer Fire Department, she has no family who are members of the department. What does it mean to have ownership, transparency and accountability and what bearing does residency have on that? Ms. Spranzani has found that when working with volunteers at the Museum who are not Butler residents they are invested, accountable and transparent.

Mayor Alviene responded to the question noting that when someone lives in the town, they might be more careful with the use of taxpayer funding.

Mr. Alderton explained that the transparency aspect is that all Borough ordinances have been followed, that there are no issues regarding purchasing of equipment. Accountability regarding equipment that is under the officer's purview.

Ken Montanye feels this ordinance is nonsense, a joke, regarding equipment purchases as the Mayor and Council vote on the purchase. Why is the Chief being singled out because of not living in Butler? What are the issues that prompted this matter?

Councilman Verdonik read a list of the issues that preceded the changes to the ordinance, a copy of the issues is below.

Primarily, the Mayor and Council are committed to create an environment that is safe for all volunteers; and their desire is to ensure every firefighter returns home safely to their families at the end of any fire call.

The work of the volunteer Fire Department is greatly appreciated by the residents and Administration of the Borough of Butler.

Concerns have been raised over the following in recent years:

- Multiple instances of alleged sexual harassment



- Relationships being carried out in rooms of the Firehouse

- Thefts from the firehouse
- Workers compensation injuries have risen over the past few years with 10 coming in the past 3-1/2 years alone.
- Damage by members of the fire department to the firehouse and equipment in the firehouse
- Borough property (mainly radios) being installed into private vehicles not owned by the Borough without permission of the Borough.
- Fire Engines (Kiel Hook and Ladder) being used on non-fire business leading to issues with businesses in town. More specifically, the ladder truck being parked in front of the Verizon store to show support for striking Verizon workers. This led to almost 9 months of negotiation with Verizon to eliminate a lawsuit.

[REDACTED]

- An engine was taken to a wetdown with non-Fire Department members on the truck and operating the deck gun without proper safety gear or training. This exposes the Borough to great liability as there were non-members and non-trained personnel operating the equipment.

[REDACTED]

- Promises made at Chief's election time that could not be kept in order to sway votes during an election

[REDACTED]

[REDACTED]

- Alcohol being purchased by the Fire Department that cannot be accounted for.
- Members on the Fire Department that have stolen from the Fire Department or Senior Lunch program over the years.
- Safety equipment not being replaced even though money has been appropriated for years. (i.e. hose, Scott bottles, etc.)

[REDACTED]

- Lack of control as to where equipment that is property of the Butler Fire Department is located. Accusations of members taking it for their personnel use.

The Chiefs of the Department brought these issues to the Mayor, Council and Administration. In essence, Fire Department business was brought to Borough Hall, not Administration going into the Fire Department.

Mayor Alviene noted that he was hesitant to bring these issues up; however, he was aware that this might happen. These issues were brought to the Public Safety Committee, Administration and the Mayor and Council, they did not seek these issues but they are duty bound to act on them.

Chief Neill noted that when the percentages were submitted at the last fire election he was told to disregard the percentages in this election. He noted that the members who damaged and stole from the Firehouse were Butler residents, one has completed his Pre-Trial Intervention and the other one had numerous charges and could not rejoin the Fire Department. He stated that he has received nothing but grief since he reported this to the Police that the damages done were upsetting to him. Chief Neill noted that we are Butler, not another town.

Mayor Alviene noted that the Chief of the Fire Department is a department head and this happens in any business. The vote will be taken on the ordinance this evening and it will be done in open, there will be no secret vote.

Lyn Dion said she was aware of a lot of the issues mentioned and the people who did them lived in town.

Dee Dean, 29 South Gifford Street she brought her daughter this evening, to show democracy in action. She noted that the persons, who did those actions, lived in town. She noted that she would like to be proud of her town; this does not make her proud of the town.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
13

Mayor Alviene thanked those present for their attendance this evening and he would like to see them attend more meetings although not for the same reasons. This is what a community really is and it is good to see this turnout.

Moved: Regis

Second: McNear

Voted Aye: Fox, McNear and Verdonik

Voted Nay: Regis

Councilman Meier and Council President Vath did not vote on this ordinance as they are members of the Butler Fire Department, they left the room prior to discussion and vote on this ordinance.

Mr. Oostdyk noted that there is a process and that has been followed in this matter.

Mayor Alviene requested that Chief Chimento and Lt. Ricker ask those members of the public present to exit in an orderly fashion from the Council Chambers.

Chief Chimento noted that the crowd might continue their discussion; however, it must take place outside Council Chambers.

RESOLUTION(S):

The Clerk noted that all items listed with an asterisk (*) are considered to be routine and non-controversial by the Borough Council and will be approved by one motion.

2015-55 Resolution Authorizing Passage of a Special Consent Agenda

Motion by: Fox

Second: Regis

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

Voted Nay: None

- * **2015-56 Resolution Authorizing Refunds, Overpayments or Cancellations in the Electric Office**
- * **2015-57 Resolution Authorizing Refunds, Overpayments or Cancellations in the Tax Office**
- * **2015-58 Resolution Authorizing Submission of an Application to Participate in the State Firefighters Certification Program**

UNFINISHED BUSINESS

None

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
14

INVITATION FOR DISCUSSION FROM THE PUBLIC:

Mayor Alviene opened this portion of the meeting to the public to speak.

Councilman Fox seeing no one come forward to speak closed this public portion of the meeting.
Moved: Fox
All in favor.

Second: McNear

Motion to enter into closed session for a matter of Litigation – Struble v. the Borough of Butler
Moved: Regis

Second: Fox

Councilman Verdonik recused himself and left the room for this discussion.

All in favor.

Motion to return to open session:

Moved: McNear

Second: Fox

All in favor.

Councilman Verdonik returned to the meeting.

2015-60 Resolution Authorizing Signature on a Settlement Agreement in the matter of Struble v. the Borough of Butler

Motion by: Fox

Second: Regis

Voted Aye: Fox, McNear, Meier, Regis and Vath

Voted Nay: None

Councilman Verdonik recused himself on this matter.

Mr. Lampmann asked that there be a discussion on Property Maintenance at the July 7, 2015 Council Workshop Meeting, he would like to have Bill Budesheim present at that meeting. The Mayor and Council concurred with his suggestion. Mr. Lampmann would like the discussion so there may be clear cut guidelines for enforcement of property maintenance issues.

Motion to adjourn the meeting:

Moved: Fox

Second: McNear

All in favor.

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

COUNCIL MEETING
JUNE 16, 2015
7:00 PM
15

Adjournment: 9:16 p.m.

Adopted: September 15, 2015

Attest:

Robert W. Alviene, Mayor

Mary A. O'Keefe, Municipal Clerk

Dated: September 15, 2015