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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, Councilman Sean McNear, Councilman Robert Meier, Councilman Regis and Council President Vath

Motion to excuse Councilman Fox and Council President Verdonik absence.

Moved: Vath

Second: McNear

All in favor.

ALSO PRESENT: J. Lampmann, Borough Administrator; R. Oostdyk, Borough Attorney, and M. O’Keefe, Borough Clerk.

APPROVAL OF MINUTES:

June 1, 2015 Council Workshop Meeting

Moved: McNear

Second: Regis

Voted Aye: McNear, Meier and Regis

Voted Nay: None

Abstain: Vath

Absent: Fox and Verdonik

MEETING OF PUBLIC AND INVITATION FOR DISCUSSION

Bob Norman, 31 Cascade Way asked that the traffic routing at the new McDonald’s be addressed, this morning he witnessed a truck making a delivery and then exiting through the entrance; he questioned the state of repairs for Gifford Street. Councilman Regis asked if there is signage at the McDonald’s that state entrance only, perhaps better signage is needed. Regarding Gifford Street Mr. Lampmann stated that he is waiting receipt of grant agreements for a water main replacement; depending on when they are received, the Borough will replace the main and do a base coat on the roadway. However, if they were received in November the work would not be started, as it is too late in the season to procure and do all the requirements of the project.

Daniel Mikola, 121 Boonton Avenue, Apt. B expressed concern over the parking situation at Butler Arms apartment complex, each apartment has one garage however; some tenants take up more spaces and use other garages. In addition to the garages, there are approximately twenty parking spots; however, some residents own more than one car. He has witnessed some tenants parking in the Stony Brook handicapped spaces overnight. He requested permission for the tenants to use Stony Brook parking spots in the winter. Mr. Mikola has spoken with the landlord about this, “name plates” were supposed to be provided for the parking spots. Mr. Lampmann explained that the landlord should be dealing with the issue of parking. Mayor Alviene made the

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suggestion that perhaps a tenant's association be formed to deal with this issue. Mr. Lampmann noted that he does not believe that the spots at Stony Brook being used are handicapped spots. However, the Stony Brook lot is usually not a high priority for plowing, if someone were to use the spots, they would have to leave their numbers with Dispatch.

Ken Montanye, 117A Boonton Avenue, noted that he had reviewed the site plan showing that each apartment should have a garage; he was told that each tenant should have a garage. He feels that the landlord is not following regulations nor being truthful. It is his opinion that any tenant should be forced park on the street, or over in Stony Brook. Mr. Oostdyk asked that Bill Budesheim inspect the area and determine if there is adherence to the original plans. Mayor Alviene asked for clarification regarding a separate fee for rental of the garage. Mr. Montanye wanted to let the Mayor and Council know that the handicapped parking space is not maintained.

Bob Norman, 31 Cascade Way questioned what the approximately \$3,000,000 Bond Anticipation notes are to be used for. Council President Vath gave a detailed explanation of the purchases. Mr. Lampmann explained that these are not all new expenditures; some of these are existing debt that the Borough is working to pay off so as not to issue bonds.

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

Second: Regis

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman McNear Board of Health does not meet during July and August. The Economic Development Committee held the second concert in the Park last Friday, there was a decent turnout approximately 40 people. The next concert is September 18, 2015 please join us. Regarding open commercial locations, he would like a map with block and lot delineated so when prospective tenants come in this information could be provided.

Councilman Meier, reporting on Electric, the stock of transformers is adequate to meet any heat waves that may occur. Butler Power and Light is 100 years old. There have been some outages however; nothing major, newly installed capacitors have made a tremendous difference. Safety training was held on personal protective equipment and the importance of its use. Repairs were completed resulting from a car accident that knocked down a pole and transformer. All required repairs were completed in Kinnelon and Butler. Work continued at the new McDonalds and the new Butler Plaza. A voltage complaint in Bloomingdale was addressed along with necessary repairs. Riverdale and West Milford were quiet, all meters were read and recorded, delinquent accounts were addressed.

Councilman Regis, Patrolman Richard J. Stoll officially retired effective July 31, Sgt. Findura and Patrolman Reyes received recognition for successfully deploying Nasal Narcan to an individual suspected of overdosing on a controlled dangerous substance, he was later transferred to the hospital. National Night Out was once again a success; there were several hundred participants. 315 summons were issued by the Police Department in the month of July.

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Council President Vath reporting on Finance noted that the Bond Anticipation Notes were previously discussed. A resolution is on for adoption this evening for the purchase of a Police Vehicle from the Morris County Cooperative Pricing Council this is a replacement vehicle. In meeting with the Chief Financial Officer, he reviewed the budget, noting that revenues and expenditures are on track. 2016 Budget hearings will begin in the near future.

Tax Collectors Report – July 2015 – \$2,433,154.30
Power & Light/Water & Sewer Dept. – July 2015 – \$2,185,446.81

APPROVAL OF VOUCHERS AND PAYROLLS

R 2015-71 Authorization for Payment of Bills and Vouchers

Moved: Vath Second: Regis
Voted Aye: McNear, Regis and Alviene
Voted Aye with abstention on fire department bills by Meier and Vath
Voted Nay: None
Absent: Fox and Verdonik
R 2015-71 approved

PRESENTATION OF CORRESPONDENCE, PETITIONS

Sal Scozzari a member of the Butler Museum Committee submitted a resignation letter from the Committee as he recently moved out of the Borough. The Mayor thanked him for his years of service, no replacement was appointed at this time.

ORDINANCE(S) FOR INTRODUCTION

None

ORDINANCE(S) FOR ADOPTION

None

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.

2015-72 Resolution Authorizing Passage of a Special Consent Agenda

Motion by: Vath Second: Regis
Voted Aye: McNear, Meier, Regis and Vath
Voted Nay: None
Absent: Fox and Verdonik

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- * **2015-73 Resolution Authorizing Refunds, Overpayments or Cancellations in the Tax Office**
- * **2015-74 Resolution Authorizing Refunds, Overpayments or Cancellations in the Electric Department**
- * **2015-75 Resolution Authorizing the Issuance of Not Exceeding \$3,048,250 in Bond Anticipation Notes of the Borough of Butler**
- * **2015-76 Resolution Authorizing an Purchase of a Police Vehicle for the Police Department from Beyer Ford through the Morris County Cooperative Pricing Council**

UNFINISHED BUSINESS

World Trade Center Artifact – The Clerk noted that the artifact is slightly larger than originally anticipated. Mr. Lampmann noted that the Borough has been working on logistics to pick up the piece and bring it to the Borough; he has also secured all insurances required as per the correspondence received. Councilman Meier suggested that we get the schools and other organizations involved to design the placement of the artifact. Mayor Alviene asked the matter be tabled until we have additional information. A letter of acceptance will be sent to the Port Authority of New York and New Jersey. Monument design ideas were discussed, to be discussed at the September Workshop Meeting.

Property Damage Settlement Claim with Geico Insurance – A pole was damaged by a motor vehicle striking it, the insured did not have adequate coverage to pay the full cost of damages. We received from Geico a settlement offer that is slightly less than half the amount of damages. Mayor Alviene noted we have no options, as litigation costs would be greater than the amount owed. Previously the Borough was able to recoup the difference from the driver, however this release has a clause stating you will not pursue the insured to get the balance due. The Mayor and Council agreed that we accept the settlement offer.

Application of Michael Mascelli to join Pequannock Engine and Hose – Mr. Mascelli was previously a member of the Wayne Fire Department.

INVITATION FOR DISCUSSION FROM THE PUBLIC:

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

Sandi Liss, 409 Main Street speaking on Councilman McNear's request for maps informed the Mayor and Council that Luis Rodriguez of the Butler Library had emailed various links to sites that list property owners in New Jersey. She would appreciate a map that provides details of the Borough. Councilman McNear suggested that we have the maps provided by the Borough and the sites from Mr. Rodriguez

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Harry Lozier, 64 Gifford Street inquired as to when the replacement of the Railroad tracks will be begin. Mr. Lampmann has contacted the Railroad for a date; he has not received any additional information.

Bob Norman, 31 Cascade Way regarding the purchase of the police vehicle is it a new vehicle or a replacement. Mr. Lampmann explained that this is a replacement vehicle.

Daniel Mikola, 121 Boonton Avenue, Apt. B in reference to the World Trade Center girder, can it be cut in half. At this time, we have no idea as to what can or cannot be done with the artifact.

Councilman McNear seeing no one else come forward to speak closed this public portion of the meeting.

Moved: McNear
All in favor.

Second: Regis

Closed Session – Potential Litigation

Motion to go into closed session

Moved: McNear
All in favor.

Second: Regis

Motion to return to open session

Moved: McNear
All in favor.

Second: Regis

Discussion regarding the September 11 Candlelight Walk starting and ending point. Mayor Alviene and the Council wanted to stay in order marching from Bloomingdale to Butler, which alleviates any issues as to whose turn it is.

Motion to adjourn the meeting:

Moved: McNear
All in favor.

Second: Regis

Adjournment: 7:53 p.m.

Adopted: September 15, 2015

Robert W. Alviene, Mayor

Attest:

Mary A. O'Keefe, Municipal Clerk
Dated: September 15, 2015