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WORKSHOP MEETING
MAY 1, 2012
7:00 P.M.
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The Workshop Meeting of the Borough of 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.

ROLL CALL

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

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

R 2012-45 RESOLUTION URGING THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO PROVIDE CRITICAL FUNDING ON AN EMERGENT BASIS FOR THE REPAIR OF THE BASCULE FLOOD GATES AT THE CHARLOTTEBURG DAM TO PROTECT THE RESIDENTS OF BUTLER, BLOOMINGDALE, RIVERDALE, PEQUANNOCK AND POMPTON LAKES

Moved: Fox

Second: Regis

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

Voted Nay: None

R 2012-45 adopted.

DISCUSSION:

CONNECTION TO BUTLER SEWER SYSTEM – KEVIN RUEHLE, 54 GORMLEY LANE, KINNELON

After discussion, the decision is that the Butler Water and Wastewater Committee and the appropriate committee from Kinnelon need to meet and discuss capacity credits, allocation, etc.; with each addition of a new customer from another community, the capacity available to Butler decreases. A request for the meeting will be prepared and sent to Kinnelon.

BOROUGH OF OAKLAND ORDINANCE REGARDING SOLAR PANEL INSTALLATION AND REGULATION OF THE SAME

Mr. Lampmann explained that Robert Westdyk, Fire Official recommends this ordinance to standardize the regulations regarding fire suppression when solar panels are in use. Since the fire departments provide reciprocal services in Tri-Boro Area this would ensure safety all around. It is his recommendation that some sort of identifying placard mounted in the location of the meter for safety. A copy of this ordinance will be adapted for Butler and forwarded to the Planning Board for review.

OPEN PUBLIC DISCUSSION

Frank Parisi, 29 Chandler Drive, Wayne

Mr. Parisi owns a mixed-use property on Main Street; he currently has a ground floor commercial unit that he would like to turn into an apartment, which is currently against the Borough Code. Mr.

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Oostdyk directed Mr. Parisi to speak with Bill Budesheim, Zoning Officer so he can clarify the zoning law and direct Mr. Parisi to the appropriate Board.

Viktor Podolec, 36 Maple Lake Road

Mr. Podolec explained that in 1990 he sold a portion of his property to his neighbor to allow him to put an addition on his home, he stated that in his opinion the surveyor hired by his neighbor “fudged up the numbers” on the survey. Additionally, his neighbor has erected a retaining wall, which destroyed his landscaping. Mr. Oostdyk informed Mr. Podolec to wait for the outcome of the legal action currently pending in Superior Court and to speak with experts for any additional concerns. He further cautioned Mr. Podolec not to make accusations as this meeting is being recorded. Mr. Podolec also claimed that due to the redesign of Maple Lake Road his yard is now lower than the roadway and floods on a regular basis. Mr. Lampmann explained that the profile of Maple Lake Road was made uniform resulting in changes to some properties elevation, Paul Darmofalski Borough Engineer has inspected the property and determined that no remedy is required.

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: Regis

Motion to go into closed session

Moved: Fox

Second: Vath

Motion to return to open session and adjourn the meeting.

Moved: Fox
All in favor.

Second: Vath

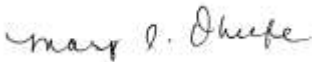
ADJOURNMENT: 8:00 p.m.

Adopted: May 15, 2012



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

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**BOROUGH OF BUTLER
RESOLUTION #R2012-45**

A RESOLUTION OF THE BOROUGH OF BUTLER URGING THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO PROVIDE CRITICAL FUNDING ON AN EMERGENT BASIS FOR THE REPAIR OF THE BASCULE FLOOD GATES AT THE CHARLOTTESBURG DAM TO PROTECT THE RESIDENTS OF BUTLER, BLOOMINGDALE, RIVERDALE, PEQUANNOCK AND POMPTON LAKES

WHEREAS, the Borough of Butler and its surrounding areas experience significant flooding problems; and

WHEREAS, the Borough of Butler is in receipt of resolutions from Bloomingdale and Riverdale concerning ways to reduce flooding in Northern Morris and Passaic Counties; and

WHEREAS, the Charlottesburg Reservoir, which is owned by the City of Newark, contains Bascule flood gates which were originally intended to increase the storage capacity for the Charlottesburg Reservoir water supply; and

WHEREAS, the Borough has been advised that due to their non-functional status, and at the request of the New Jersey Department of Environmental Protection (the "NJDEP"), the said flood gates have not been operated for a period of nine years; and

WHEREAS, studies have shown that if the said flood gates were operational they could retain up to one-half billion gallons of water during critical flood periods, thereby mitigating some of the flooding issues in Butler, Bloomingdale, Riverdale, Pequannock and Pompton Lakes as well as to some extent the Passaic River Basin; and

WHEREAS, the additional storage of 500 million gallons of water is equivalent to 77% of the daily flood stage flow in Bloomingdale or almost a 20% reduction in flood water over a four-day period; and

WHEREAS, in view of the inherent dangers, property damage and destruction that has been caused by flooding in Bloomingdale and its surrounding areas over the past few years, it is critical that immediate action be taken by the NJDEP to answer repeated cries for assistance and mitigate the extensive flooding problems in Northern New Jersey, including Northern Passaic County where Bloomingdale is located; and

WHEREAS, although the cost to repair the said floodgates is estimated to range from \$500,000 to \$1,000,000 such efforts would help in the reduction of flooding that causes millions, and potentially billions, of dollars in property damage and destruction on a consistent basis, and would also help in ameliorating the emotional damages suffered by New Jersey residents and caused by flooding over the years; and

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WHEREAS, although a more permanent solution by the Federal Government and the State of New Jersey to the recurring flooding in Butler and its surrounding areas is needed, the repair to the Charlottesville Dam is a first step that can provide immediate relief to many long-suffering residents.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, in the County of Morris and State of New Jersey, as follows:

1. That the Borough of Butler urges the New Jersey Department of Environmental Protection to evaluate and identify the Bascule Flood Gates at Charlottesville Dam as a critical point in area-wide flooding problems, and their repair as a first step in an emergent plan to provide assistance and relief to the residents of Butler from such recurring flooding issues; and
2. That the Borough of Butler and surrounding communities that have been devastated by area-wide flooding urge the New Jersey Department of Environmental Protection to provide sufficient funding for the taking of critical steps to protect the citizens of Northern Passaic County and Northern Morris County from further damage; and
3. The Borough of Riverdale supports the taking of all necessary action to encourage the New Jersey Department of Environmental Protection to obtain sufficient funding for the repair of the Charlottesville Dam and the non-operating Bascule Flood Gates.

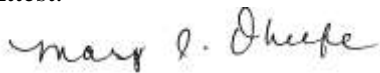
BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Pequannock River Coalition, the municipalities of Bloomingdale, Pequannock, Pompton Lakes and Riverdale, our State Legislators and the Honorable Chris Christie, Governor of the State of New Jersey.

Adopted: May 1 2012



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Date: May 1, 2012