

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

WORKSHOP MEETING
JULY 3, 2012
7:00 P.M.
1

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

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

R 2012-57 BID-AWARD - RESOLUTION AWARDED BID TO WESCO DISTRIBUTION FOR OUTDOOR, 3 PHASE, POLE MOUNTED, SWITCHED CAPACITOR BANKS

Mr. Lampmann explained that using the capacitor banks improves the efficiency of our system. Initial cost will be recouped in approximately three years; these items have a life expectancy of twelve to fifteen years.

Moved: Meier

Second: Vath

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

Voted Nay: None

R 2012-57 adopted.

CORRESPONDENCE:

MORRIS COUNTY BOARD OF CHOSEN FREEHOLDERS – RESOLUTION NO. 47 IN OPPOSITION TO THE COMMUTER TAX ON NEW JERSEY RESIDENTS WHO WORK IN NEW YORK CITY A resolution in opposition to this tax will be prepared for passage at the July 17, 2012 meeting.

DISCUSSION:

SALVATION ARMY BIN IN REAR OF MUNICIPAL BUILDING – Discussion ensued regarding the existing collection boxes, the application was approved, however, emphasis must be placed on maintaining the location. Removal of all items deposited in front of the bins must be done when the bins are emptied. Prior to the 2013 renewal, the regularity of pickup for the existing collection boxes to be reviewed and changes made as necessary. Installation of video cameras were discussed, however, it would be costly, as in order to install them, wiring would be necessary as there is not an existing electrical hook up that would allow for a camera to be placed within a reasonable recording distance.

REQUEST FROM TRIBORO ANIMAL WELFARE FOR USE OF PUBLIC PROPERTY – DPW PARKING LOT

The Council discussed the request approving it with these stipulations that the fair take place in the Department of Public Works employee parking lot located on Boonton Avenue, they cannot block the areas in front of the truck bays, as access would be required in the event of an emergency.

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

WORKSHOP MEETING
JULY 3, 2012
7:00 P.M.
2

Additionally, it was suggested that the vendors set up along the stream to avoid any mishaps by patrons; if this were not an option then the areas directly along the stream would need to be barricaded.

APPEAL OF HOPEWELL VS. VERIZON, TAX COURT CASE

Regarding the recent court decision made by Judge Menyuk in the above listed case Mr. Lampmann explained that Verizon self determined that in 68 municipalities they no longer provide 51% of the dial tone and access to local exchanges in these municipalities. Based on their calculations they are not required to make payment of the Business Personal Property Tax. Additionally, Verizon did not provide any back up data, though the Court decision did uphold the portion of the statute that required Verizon to provide a listing of the customers to substantiate their claim. The New Jersey State League of Municipalities contacted the 68 municipalities affected asking if they would like to join together to appeal this decision, the cost when split amongst the 68 municipalities is \$220.00, the loss of revenue in Butler would be approximately \$20,000. The Council agreed that the Borough should be included in the Appeal, as the cost is nominal but the benefits would be substantial. Mr. Lampmann raised many points that were not covered in the decision of the court.

OPEN PUBLIC DISCUSSION

Seeing no one come forward to speak a motion was made to close the public portion of the meeting.
Moved: Fox
All in favor.

Second: Regis

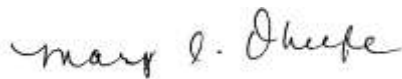
ADJOURNMENT: 7:13 p.m.

Adopted: July 17, 2012



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: July 17, 2012

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

WORKSHOP MEETING
JULY 3, 2012
7:00 P.M.
3

**BOROUGH OF BUTLER
RESOLUTION R2012-57**

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF BUTLER**

Awarding Bid for Outdoor 3, Phase Pole-Mounted Switched Capacitor Banks

WHEREAS, the Borough of Butler Electric Utility is in need of outdoor, 3 phase overhead distribution pole rack mounted switched capacitor banks; and

WHEREAS, two (2) sealed bids were received on June 19, 2012; and

WHEREAS, the finance officer has certified that funds are available for said work; and

WHEREAS, the bids have been reviewed by Craig Struble Line Superintendent, Curt Wilson Consulting Engineer on the project and Borough Attorney Robert Oostdyk regarding qualifications of the bidder and conformity with the specifications; and

WHEREAS, the Mayor and Council hereby awards the Pole mounted switch capacitor banks to WESCO Distribution Inc., 2902 N. Boulevard, Richmond, VA 23230, in the amount of \$208,777. This shall include the specified capacitors with the control power transformer and the PS15 15 kV, 125 kV bil vacuum switch options.

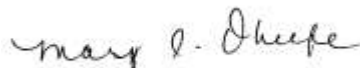
NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are authorized to sign all necessary contracts regarding the above contract.

Adopted: July 3, 2012



Robert W. Alviene, Mayor

ATTEST:



Mary A. O'Keefe, Borough Clerk

Dated: July 3, 2012