

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

WORKSHOP MEETING
SEPTEMBER 5, 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, Councilman Stephen Regis, Councilman Robert Fox, Councilman Robert Meier, Councilman Raymond Verdonik and Council President Edwin Vath

Absent: Councilman Sean McNear

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

A motion was made by Councilman Fox, seconded by Councilman Regis to excuse the absence of Councilman McNear.
All in favor.

**R 2012-69 AUTHORIZING THE REFUND OF TAXES TO EUGENE BICZAK
PURSUANT TO N.J.S.A. 54:4-3.32**

Mr. Lampmann explained that the refund would cover the previous 180 days as has been past practice.

Moved: Fox

Second: Regis

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

Voted Nay: None

Absent: McNear

R 2012-69 adopted.

DISCUSSION:

**ENTERING INTO AN AGREEMENT WITH GOVDEALS.COM FOR THE AUCTION
OF BOROUGH PROPERTY NO LONGER NEEDED**

Mr. Lampmann provided the details as to how the process works, whereby the cost to the Borough is of the purchase price. Statistically, GovDeals has commanded higher prices as their target audience is much larger than a local auction. A resolution to be prepared for passage at the September 18, 2012 meeting.

OPEN PUBLIC DISCUSSION

Seeing no one come forward to speak a motion was made to close the public portion of the meeting.

Moved: Fox

Second: Vath

All in favor.

Motion was made to go into Closed Session by Councilman Fox, seconded by Council President Vath

All in favor.

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Motion was made to exit closed session, return to open session and to adjourn the meeting:
Moved: Fox
All in favor.
Second: Verdonik

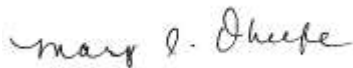
ADJOURNMENT: 7:20 p.m.

Adopted: September 18, 2012



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: September 18, 2012

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BOROUGH OF BUTLER
RESOLUTION NO. 2012-69

RESOLUTION AUTHORIZING THE REFUND OF TAXES TO
EUGENE BICZAK PURSUANT TO N.J.S.A.54:4-3.32

WHEREAS, Eugene Biczak, 9 Charles A. Haber, Jr. Court, Butler, New Jersey was certified by the Department of Veterans Affairs as 100% disabled as of December 21, 2011 in accordance with the Veterans Affairs Rating Schedule; and

WHEREAS, Eugene Biczak applied on July 9, 2012 for a tax exemption on his home known as Block 90.02, Lot 7 pursuant to N.J.S.A. 54:4-3.30; and

WHEREAS, pursuant to N.J.S.A. 54:4-4.43, the Governing Body of a municipality, by appropriate Resolution, may return all taxes collected on property which would have been exempt had a proper claim in writing been made therefore; and

WHEREAS, Eugene Biczak has requested that the Governing Body refund taxes paid subsequent to December 21, 2011; and

WHEREAS, the Governing Body has determined that it is fair and equitable to allow for a refund of taxes for 180 days prior to the date of application for exemption.

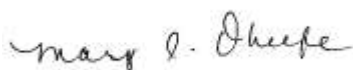
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, in the County of Morris and State of New Jersey that the Tax Collector is hereby directed to refund an amount of \$6,010.39 to Eugene Biczak representing a refund of taxes paid on property known as Block 90.02, Lot 7, and also known as 9 Charles A. Haber, Jr. Court which represents a refund of 180 days of taxes paid.

Adopted: September 4, 2012



Robert W. Alviene, Mayor

Attest:



Mary O'Keefe, Borough Clerk

Dated: September 4, 2012

R 2012-70
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler on the 4th day of September 2012, that:

1. Prior to conclusion of the business meeting, the Borough Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () B. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () B. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () B. (3) A matter the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () B. (4) A collective bargaining agreement including negotiations.
 - () B. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () B. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure would impact such protection. Investigation of violations of the law.
 - (X) B. (7) Pending or anticipated litigation or contract negotiations other than in Subsection b. (4) herein or matters falling within the attorney-client privilege.
 - () B. (8) Personnel matters.
 - () B. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Moved: Fox

Second: Vath