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WORKSHOP MEETING
MAY 7, 2013
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 Fox, Councilman Meier, Councilman Regis, Councilman Verdonik and Council President Vath

ABSENT: Councilman McNear

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

Motion to excuse Councilman McNear absence:

Moved: Vath
All in favor.

Second: Regis

R 2013-46 RESOLUTION APPOINTING RAYMOND VERDONIK TO THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

Moved: Vath

Second: Meier

Ms. O'Keefe explained that the State of New Jersey requires a specific resolution be adopted and filed with the New Jersey State Department of Treasury, Division of Revenue.

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

Voted Nay: None

Absent: McNear

R 2013-46 approved.

PROCLAMATION:

NATIONAL SCHOOL NURSE DAY

A resident contacted the Borough Clerk requesting that the Mayor and Council issue this proclamation in honor of the school nurses here in Butler.

DISCUSSION AND POSSIBLE ADOPTION:

TRI-BORO ANIMAL WELFARE ASSOCIATION LEASE Mayor Alviene noted for the record that discussion of the terms of the lease had taken place at a prior meeting; Mr. Lampmann had prepared the lease based on those terms. All parties agreed on the terms and conditions of the lease. Lease will be sent to Tri-Boro for signature.

R 2013-47 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BUTLER AUTHORIZING ENTRY INTO A LEASE AGREEMENT WITH THE TRI-BORO ANIMAL WELFARE INC.

Moved: Regis

Second: Vath

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

Voted Nay: None

Absent: McNear

R 2013-47 approved.

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DISCUSSION:

WAIVER OF SECURITY DEPOSIT FEE FOR THE TRI-BORO ANIMAL WELFARE ASSOCIATION USE OF BUTLER PARK

Discussion ensued and it was decided that the security deposit fee be waived however, if there are any post event clean up costs Tri-Boro will be billed. Additionally, all dogs are to be on leashes and cats to be in carriers for safety purposes, Tri-Boro to be notified of all the details.

CAPITAL IMPROVEMENTS

Mr. Kozimor provided the Mayor and Council with the details of anticipated Capital Improvements for 2013. Additional information is required for some of the projects prior to any monies being allocated and or expended for them. Mr. Kozimor will prepare ordinances for the approved projects for the next meeting.

AMENDING AND SUPPLEMENTING ORDINANCE NO. 2007-8 REGULATION OF MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS AND THERAPISTS

Mr. Oostdyk informed the Mayor and Council that licenses are now issued by the State of New Jersey, thus making local requirements moot. As such, an ordinance will be prepared for the May 21, 2013 Regular Council meeting to repeal this ordinance.

REQUEST FROM THE PASSAIC RIVER COALITION TO WAIVE 2012-2013 PROPERTY TAXES FOR BLOCK 25, LOTS 20.01 AND 50.02 YAPEWI PARK

Discussion ensued and it was determined that the property taxed owed would be waived on this block and lots.

R 2013-48 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BUTLER WAIVING REAL ESTATE PROPERTY TAXES ON BLOCK 25, LOT 20.01 AND LOT 50.02 PROPERTY TRANSFERRED TO THE PASSAIC RIVER COALITION A NON-PROFIT ORGANIZATION

Moved: Fox

Second: Regis

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

Voted Nay: None

Absent: McNear

R 2013-48 approved.

SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY TAX ASSESSMENT APPEAL REFUNDS

Resolution to be prepared for passage at the May 21, 2013 Borough Council Regular meeting.

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public at this time.

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.

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Motion was made to go into closed session.
Moved: Regis
All in favor.

Second: Fox

Motion was made to return to Open Session.
Moved: Vath

Second: Meier

Motion was made to adjourn the meeting:
Moved: Vath
All in favor.

Second: Regis

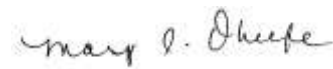
ADJOURNMENT: 7:45 p.m.

Adopted: May 21, 2013



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: May 21, 2013

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**BOROUGH OF BUTLER
RESOLUTION NO. 2013-46**

RESOLUTION OF THE BOROUGH COUNCIL OF BUTLER APPOINTING RAYMOND VERDONIK TO THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Sewerage Authorities Law, more specifically at N.J.S.A. 40:14A-4(b), provides for the appointment of municipal members to a sewerage authority for a term commencing on February 1, and expiring on February 1 in the fifth year after such year; and

WHEREAS, the Borough of Butler is a municipal member of the Pequannock River Basin Regional Sewerage Authority ("PRBRSA") and therefore must provide for such appointment of a municipal representative; and

WHEREAS, N.J.S.A. 40:14A-4(b) further provides that the member representatives of each municipality shall be appointment by resolution of the governing body; and

WHEREAS, the Borough of Butler wishes to confirm the appointment of Raymond Verdonik as its member of PRBRSA to serve for a period of five years commencing February 1, 2013; and

WHEREAS, N.J.S.A. 40:14A-4(e) thereafter provides that a copy of each such resolution appointing any member of a sewerage authority, duly certified by the appropriate office of the local unit, shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue.

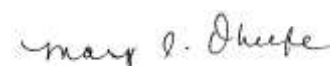
NOW, THEREFORE, BE IT RESOLVED by the Borough of Butler in the County of Morris and State of New Jersey on this 7th day of May 2013, as follows:

1. Raymond Verdonik is hereby appointed to represent the Borough of Butler as aforesaid commencing on February 1, 2013 and ending January 31, 2018.
2. This Resolution shall take effect immediately and a certified copy hereof shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue, as well as in the offices of the Borough of Butler Municipal Clerk and the Office of the Pequannock River Basin Regional Sewerage Authority.

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Borough of Butler held on May 7, 2013/



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

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**BOROUGH OF BUTLER
RESOLUTION NO. 2013-47**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BUTLER
AUTHORIZING ENTRY INTO A LEASE AGREEMENT WITH THE TRI-BORO
ANIMAL WELFARE INC.**

WHEREAS, the Tri-Boro Animal Welfare Inc. ("TBAW") provides a service for the Borough of Butler by providing shelter and care for cats and dogs of residents of Butler when the pet owners are no longer able to care for the pets and will present these pets for adoption; and

WHEREAS, the "TBAW" currently occupies the animal shelter that is located adjacent to the Public Works building on Belleview Avenue; and

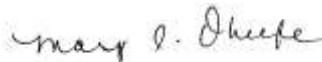
WHEREAS, the Borough of Butler has been determined that it would be in the best interests of the public to lease the property to the "TBAW" as per the terms of the lease agreement on file in the office of the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler that the Mayor and Borough Clerk are hereby authorized to sign the lease agreement on behalf of the Borough of Butler.

Adopted: May 7, 2013



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

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**BOROUGH OF BUTLER
RESOLUTION NO. 2013-48**

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BUTLER WAIVING REAL ESTATE PROPERTY TAXES ON BLOCK 25, LOT 20.01 AND LOT 50.02 PROPERTY TRANSFERRED TO THE PASSAIC RIVER COALITION A NON-PROFIT ORGANIZATION

WHEREAS, the Borough of Butler in 2009 authorized a transfer of certain real property known as Block 25, Lots 20.01 and 50.02 to the Passaic River Coalition (PRC) to preserve and use the property as open space for the benefit of the general public; and

WHEREAS, the actual transfer to the PRC occurred in 2012 as this was municipally owned property no real estate property taxes were previously owed, an application was submitted to the New Jersey Department of Environmental Protection (NJDEP) for tax exemption, however the application was rejected due to the timing of the publication of the notice of public hearing; and

WHEREAS, the PRC has requested that the Borough of Butler waive any real property taxes that are currently owed on these properties and will once again apply for tax exemption to the NJDEP.

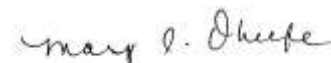
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler that:

1. The real estate property taxes owed in the amount of \$124.90 on Block 25 Lot 20.01 and \$152.05 on Block 25, Lot 50.02 are waived.
2. Forward a certified copy of this resolution to the Passaic River Coalition, the Borough of Butler Tax Assessor and Tax Collector.

Adopted: May 7, 2013



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: May 7, 2013