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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 Alviene, Councilman Fox, Councilman Meier, Councilman Regis, Councilman Verdonik and Council President Vath

ABSENT: Councilman McNear

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

Motion to excuse absence of Councilman McNear

Moved: Vath

Second: Regis

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

Voted Nay: None

RESOLUTION(S):

R 2014-109 Resolution Appointing Deputy Records Custodian for the Borough of Butler

Ms. O'Keefe explained that there has been a change in the Open Public Records Act regarding Police Records, specifically video recordings from the Patrol cars. With passage of this resolution, it designates the Chief of Police or his designee the responsibility for providing the records when he is unavailable.

Moved: Fox

Second: Regis

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

Voted Nay: None

Absent: McNear

R 2014-109 approved.

R 2014-110 Bid Award- Awarding the Bid for the Collection, Removal and Disposal of Garbage, Bulk Waste and Designated Recyclables

Mr. Lampmann explained that the bid is being awarded to the only bidder, pickup days remain the same, single stream recycling will be implemented and yard waste pickup will resume earlier and end later in 2015 to accommodate the residents.

Moved: Regis

Second: Vath

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

Voted Nay: None

Absent: McNear

R 2014-110 approved.

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R 2014-111 Awarding Bid for the Carey Avenue Improvements

The bid was taken this morning it has been reviewed by the Borough Engineer and Attorney, the bid is awarded contingent receipt of an amended bid bond. There were 14 total bidders for this project.

Moved: Fox

Second: Meier

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

Voted Nay: None

Absent: McNear

R 2014-111 approved.

R 2014-112 Resolution Authorizing Submission of and Incidental Modification to Project Scope/Limits for the Carey Avenue Improvements

The grant application needed to be modified as the project is being approved from Bartholdi Avenue to Myrtle Avenue, there is a small portion of land that cannot be brought up to Department of Transportation standards since it's basically a driveway, so it cannot be included.

Moved: Fox

Second: Regis

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

Voted Nay: None

Absent: McNear

R 2014-112 approved.

R 2014-112A Resolution Authorizing Signature on an Easement with Morris County for the Butler Museum

Moved: Fox

Second: Regis

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

Voted Nay: None

Absent: McNear

R 2014-112A approved.

Discussion – Amendments to Chapter 21, Fire Department

Mr. Lampmann made the modifications previously discussed however, there are some questions remaining. Councilman Fox asked for direction regarding the inclusion of the two Councilmen who are also members of the Fire Department. Mayor Alviene requested that the Councilmen leave the room to avoid any issues arising later on. Mr. Lampmann noted the issues that were unresolved at the prior meeting:

1. Number of officers (each company has a Chief, Captain, First and Second Lieutenant) so that means that the department has sixteen officers. If the rank of Second Lieutenant is removed that would leave twelve officers for the department. Chief Neill present this evening noted that he agrees with removing the lowest rank in the fire department hierarchy, this would leave a Chief for every department. Councilman Regis noted that in the past it made sense to have that many officers however, with less members this makes sense.

2. Master Mechanic position Chief Neill noted that in his opinion, this position should either be more involved or perhaps someone younger should be doing this. Currently the Master Mechanic performs minor tasks such as changing headlights, or similar non-mechanical tasks; any mechanical repairs are performed by an outside service. Chief Neill reported the repair company is called when a number of items need to be addressed. Mayor Alviene feels that someone needs to be responsible for the repair records; the individual servicing the truck needs to be a professional. Mr. Lampmann concurred with Councilman Regis regarding clarification of duties. Councilman Regis also noted that
3. the individual in that position should be providing the Chief with a monthly report as to status of the vehicles, any repairs needed or any required maintenance. The suggested title was a "Truck Maintenance Mechanic" as the title "Master Mechanic" is misleading.
4. Changes to the term of Department Chief currently there is a department wide election, one of the changes suggested was a rotation for Department Chief, each two year term would be filled by a chief from one of the departments. Mr. Lampmann explained that with the current process there is always strife within the department. Councilman Verdonik noted that prior to the election he hears all the negative comments, which does not help the morale of the department. Councilman Regis noted that in the fifteen years he has been in office the current system has not worked, at least if the term is limited to two years, this may alleviate some of the problems that occur. Chief John Fatcher questioned what happens if the rotation calls for a newly elected Chief to become Department Chief. Mr. Lampmann explained that the suggested changes would be as follows: Second Assistant Chief, First Assistant, Deputy Chief and then Department Chief there would be a progression to the position of Department Chief. When the ordinance is enacted this will allow the Department Chief to be fully versed in all duties and requirements. Mr. Lampmann explained that each chief should have assigned duties, which must be defined so that all chiefs are completely versed in all aspects of the duties. Mayor Alviene hopes that when someone joins the fire department and moves up the ranks they would want to be Department Chief one day. Councilman Fox noted that being Department Chief is a time consuming job, and he feels that the ordinance should have a procedure in place in the event that none of the other chiefs want to be Department Chief.
5. Moving all fire department trucks to the main firehouse, the fire police should be stationed at the Bartholdi Fire House. This also allows for better personnel usage, when fighting a fire.
6. Residency Requirement Councilman Regis feels that the officers should be residents and the members not be required to be residents, however, he will go with the majority. Discussion ensued with the Council agreeing that perhaps a five-mile radius might be used. Councilman Fox still has questions regarding current members, are the current longstanding members exempt if they are in good standing in the department. Mr. Lampmann addressed this in the changes to the ordinance with the member asking the Mayor and Council for permission to remain on the fire department. The record of the individual would be taken into account at that point, all aspects should be considered. Mayor Alviene reminded the Council that during discussion of changes to the ordinance

it was decided that the Officers should be Borough residents. Councilman Verdonik feels that if the Chief is a resident who pays property taxes they will be more cost conscious.

Mr. Lampmann noted that while he does not need exact miles, he would like the consensus of the Mayor and Council on what changes should be included. He would also like to organize the ordinance better, to incorporate amendments easier. Attendance requirements and reporting should be standard, one municipal ordinance requires that all mandatory training and testing be completed during the first quarter of the year, thus alleviating any problems regarding whether or

not an individual has satisfied all of the requirements. Additionally, more weight should be given to fires and training as opposed to clean ups, this will make sure that all firefighters have the same training. Councilman Regis wants to know who will be setting the definition of the formula for percentages, will it be the four Chiefs who draft this and then forward this to the Mayor and Council for approval. Mayor Alviene noted that the changes would be made by the Chiefs and then presented to the Mayor and Council for approval, this way there is one plan that is consistent across the department. There must be consequences for lack of attendance, this was included in the last amendment but was not enforced. The Mayor and Council concurred that changes are required to the ordinance; one of the most important pieces of the ordinance should be training. The Mayor, Council and the Fire Chief noted that a more thorough background check should be conducted on prospective members. Mr. Lampmann will incorporate changes and provide the Mayor and Council with copies for discussion at a future Council meeting.

Discussion – Community Development Block Grant Funding Projects for 2015 –

Mr. Lampmann provided the Mayor and Council with a list of suggested projects for the grant application (list attached). Mr. Lampmann explained that the best project would be replacement of the water line on Gifford Street. The other projects might not be viewed as favorably as this one.

Discussion – Consulting Services for Risk Management Services –

Mr. Lampmann explained that Mayor Alviene had arranged a meeting between a risk management consultant and himself, to provide services that will be beneficial to the Borough in many different areas. Mr. Lampmann noted that he will continue speaking with this individual and report back to the Mayor and Council, regarding using this individual as a professional.

Discussion – County of Morris Historic Preservation Easement for the Butler Railroad Station (Museum)

Mr. Lampmann explained that Morris County is requesting that an easement be granted regarding repairs done with significant grant funding that has been provided by Morris County. Mr. Oostdyk requested that item #4 be amended to reflect that the Borough is not a non-profit organization.

Motion to authorize signature on a preservation easement between Morris County and the Borough of Butler.

Moved: Councilman Verdonik

Second: Fox

All in favor.

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Discussion on 2015 Appointments

Mayor Alviene noted that he had reviewed the appointments and asked if anyone wished to change committees and had any suggestions regarding appointments. The Mayor and Council concurred on the appointments; they will be on for approval at the 2015 Re-organization meeting.

The Mayor and Council approved the Silentia Lodge presenting a donation to the Tri-Boro First Aid Squad at the December 16, 2014 Mayor and Council meeting.

The Mayor and Council agreed to do a presentation to the Butler and Bloomingdale Youth Football D-Squad Football team for their Super Bowl win and undefeated season/

Discussion regarding the 2015 meeting dates; they would be enacted at the 2015 Reorganization meeting.

Mr. Lampmann noted that Chief Chimento suggested that the speed limit on Hamburg Turnpike that is currently at 40 mph, be lowered to 25 mph. The Mayor and Council discussed this and decided that more research is needed on this issue.

Councilman Regis noted that the Bar at the Fire Department had been closed by the prior Fire Department Chief; changes have been made and the new Fire Chief approached him and asked that the bar be reopened. The Public Safety Committee met and reminded the Fire Department that there are procedures required that must be followed, should any other issues occur then the bar will be closed permanently.

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
All in favor.

Second: Regis

Motion to adjourn

Moved: Fox
All in favor.

Second: Regis

ADJOURNMENT: 8:25 p.m.

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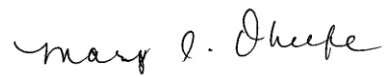
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Adopted: February 17, 2015



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: February 17, 2015

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RESOLUTION NO. 2014-109


**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BUTLER,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING DEPUTY RECORD
CUSTODIAN**

WHEREAS, the Open Public Records Act, N.J.S.A. 47:1A-1, et seq., has designated the Borough Clerk as the custodian of all municipal records and has imposed additional obligations for responding to requests for such records, it has become necessary to appoint deputy records custodians to assist in complying with responses to records requests;


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

1. The Chief of Police for the Borough of Butler or his designee is hereby appointed as the deputy record custodian for Police Department records.
2. The designated deputy records custodians shall report to the Borough Clerk all requests for records and shall follow any instructions given by the Clerk regarding the handling of such records.

Adopted: December 2, 2014


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe, Borough Clerk

BOROUGH OF BUTLER

RESOLUTION NO. 2014 - 110

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR SOLID WASTE COLLECTION TO SUBURBAN DISPOSAL, INC.

WHEREAS, the Borough of Butler promulgated specifications for solid waste and recycling municipal collection; and

WHEREAS, one bid was received from Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey; and

WHEREAS, the Mayor and Council have reviewed the bid received and have determined that it is in the best interest of the Borough to award a contract to Suburban Disposal, Inc.

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 Municipal Solid Waste and Recycling Collection Contract shall be awarded to Suburban Disposal, Inc. for a three (3) year period commencing January 1, 2015 for a total bid cost of \$1,389,000.00 which represents an annual amount of \$463,000.00 with the specific provisions as follows:

I. TWICE A WEEK COLLECTION - SOLID WASTE (GARBAGE)

Curbside Collection service two days per week, January through December. Each curbside collection point will be allowed two thirty five gallon or equivalent containers each collection day. Collection costs shall be all inclusive except disposal fees. Disposal fees will be paid by the Borough of Butler directly to the Morris County Municipal Utility Authority. Included in bid is service to public property as set forth in these specifications.

THREE YEARS \$ 624,000.00

V. DESIGNATED SINGLE STREAM RECYCLABLES-ONE COLLECTION PER WEEK CONTRACTOR'S MARKET (excluding vegetative waste)

Curbside Collection service one day per week, January through December. Collection to include all recyclables defined as "Single Stream" as prepared by the residents. Also,

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Quarterly curbside collection of "White Goods and Metal Recyclables" on a single collection day. Collection costs shall be all inclusive to include transportation to bidder's market. Costs and/or revenues associated with the marketing of these materials will be the responsibility of the Contractor. The Contractor will be responsible for the proper removal of freon appliances on a monthly basis and remove the freon prior to disposal, as required by the Clean Air Act.

THREE YEARS \$327,000.00


VII. ONCE A WEEK COLLECTION - VEGETATIVE WASTE.

Curbside collection service EVERY MONDAY, April 1st through December 15th, of vegetative waste to include grass, leaves, and brush as prepared by the residents. Christmas trees to be collected twice in the month of January spaced a minimum of one week apart. Costs shall be all inclusive to include collection, transportation, and disposal.

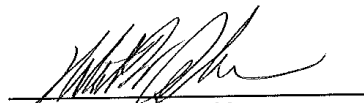
THREE YEARS \$ 438,000.00

BE IT FURTHER RESOLVED that the appropriate municipal officials are hereby authorized to execute a Contract in accordance with this Resolution.

Adopted: 12/2/14



Mary O'Keefe, Borough Clerk



Robert W. Alviene, Mayor

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BOROUGH OF BUTLER
RESOLUTION NO. R 2014-111

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER
AWARDING CONTRACT CAREY AVENUE IMPROVEMENTS

WHEREAS, the Borough of Butler has received local aid funding for the Carey Avenue Improvements; and

WHEREAS, 14 sealed proposals were received on December 2, 2014; and

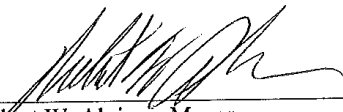
WHEREAS, the Chief Financial Officer has certified that funding is available for this project; and

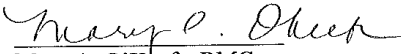
WHEREAS, the bids have been reviewed by the Borough Engineer Paul Darmofalski and Borough Attorney Robert Oostdyk regarding qualification of bidders and conformity with specifications; and

WHEREAS, the Mayor and Council hereby award the contract for the Carey Avenue Improvements to Mike Fitzpatrick Equipment Co., 18 Cozy Lake Road, Oak Ridge, New Jersey for a contract price of \$198,812.00.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign all necessary documentation and contracts for the above name project.

Adopted: December 2, 2014


Robert W. Alviene, Mayor


Mary A. O'Keefe, RMC

Dated: December 2, 2014

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RESOLUTION NO. 2014-112

BOROUGH OF BUTLER, COUNTY OF MORRIS, NEW JERSEY

WHEREAS, the Borough of Butler originally applied for Municipal Aid funding for the NJDOT Fiscal Year 2013 to construct improvements to Carey Avenue between Bartholdi and Provost Avenues (0.44 miles), and

WHEREAS, the State of New Jersey Department of Transportation approved an allotment in the amount of \$140,000.00, and

WHEREAS, the Borough of Butler wishes to reduce the scope and limits of the improvements to Carey Avenue between Bartholdi and Myrtle Avenue (0.268 miles), and

WHEREAS, the Borough Engineer estimates the cost for the modified project is \$222,525.00.

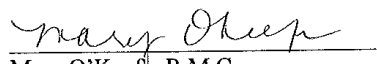
NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Butler, the Borough Engineer and Municipal Clerk are hereby authorized to apply to the State of New Jersey Department of Transportation for an "Incidental Modification to Project Scope/Limits" to reduce the scope and limits, and

ALSO BE IT RESOLVED, the Engineer and Borough Clerk are authorized to sign and seal a document entitled "Incidental Modification to Project Scope/Limits" and forward three (3) signed and sealed copies along with a certified copy of this resolution to the State of New Jersey Department of Transportation for their approval.

APPROVED: December 2, 2014

I, Mary O'Keefe, R.M.C., Municipal Clerk of the Borough of Butler, do hereby certify the foregoing resolution was duly adopted by the Mayor and Council of the Borough of Butler at a regular meeting held on December 2, 2014.


Robert W. Alviene, Mayor


Mary O'Keefe, R.M.C.
Municipal Clerk

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**BOROUGH OF BUTLER
RESOLUTION NO. 112-A**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER
AUTHORIZING SIGNATURE ON AN EASEMENT**

WHEREAS, the Borough of Butler has received substantial funding from Morris County for the restoration and preservation of the Butler Railroad Station Museum; and

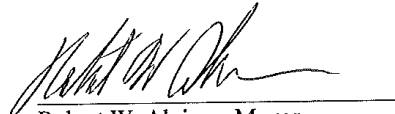
WHEREAS, Morris County requires a historic preservation easement agreement to be entered into as the Butler Railroad Station Museum is listing either individually and/or as part of a historic district that is listed in the New Jersey Register of Historic Places and the National Register of Historic Places; and

WHEREAS, the term of the agreement is from January 6, 2015 and will remain in full force and effect until January 6, 2045.

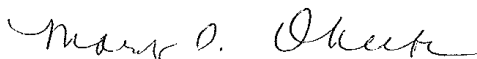
WHEREAS, the Grantor and the Grantee intend that the property be preserved and maintained subject to the terms and conditions contained in the Agreement on file in the office of the Borough Clerk.

NOW, THEREFORE BE IT RESOLVED, that the Borough Administrator is hereby authorized to sign the agreement a copy of which is to be recorded with the Morris County Clerk.

Adopted: December 2, 2014


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe, RMC
Municipal Clerk

Dated: December 2, 2014