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WORKSHOP MEETING
OCTOBER 1, 2019
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 Alviene, Councilman Fox, Councilman Meier, Councilman Regis, Councilman Travers and Council President Verdonik

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

Absent: Councilman Calvi

Resolution No. 2019-92 Resolution Authorizing a Contract Between the Borough of Butler and TVScreenads, LLC

Motion: Fox

Second: Regis

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

Voted Nay: None

Absent: Calvi

Motion to excuse the absence of Councilman Calvi

Moved: Travers

Second: Fox

All in favor.

Discussion

Owen Kruger Eagle Scout Project at Butler Municipal Building Playground

Mr. Kruger is present this evening to request approval from the Mayor and Council to add benches to the playground area in the Municipal Building Parking lot to add a reading area. He inspected the area in question and determined that the area by the playground would be a good location, so parents may read and watch their children on the playground equipment. He would like to refurbish the existing benches, perhaps through power washing and wire brushing, and then relocate them, afterwards; he would like to install two new benches to the left of the playground next to a new area with pavers for stroller parking. Should any funding remain he would like to repair the fencing behind the playground as some of it has collapsed. As he explained, funding will come from donations of money and material with labor from fellow scouts. Remaining funds will be donated to the library for books or programs. He estimates the cost will be \$2,500.00. The anticipated start date will be determined once all approvals are received, however, he estimates March 31, 2020, with completion approximately June 2020. The Mayor and Council approved the project and thanked him for coming.

Speed Limit on Hamburg Turnpike Mr. Lampmann explained that there are steps that need to be followed to justify lowering the speed limit one of which is a traffic count. At the current time the studies only justify lowering the speed limit to 35 mph. The consensus of the Borough

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Council was the speed limit be lowered to 35 mph. An ordinance will be prepared for introduction at the October 15, 2019 Regular Council meeting.

Changes to the Fire Department Ordinance Mr. Lampmann explained that this was received after the September Council Workshop Meeting. The Council received the requested changes to the ordinance for review; this ordinance completely changes the structure of the department. Mayor Alviene asked if this was a decision of the whole department or a committee of some sort. Councilman Regis stated that he was told that the whole department had seen the ordinance. Mr. Lampmann suggested that the Mayor and Council receive documentation from the Fire Department that a department wide vote was held and they are in agreement with these changes. Mr. Lampmann explained that these changes would not affect the social side of the Butler Fire Department. These changes would allow for a greater pool of officers as some companies may not have as many members who have completed training. Council President Verdonik asked if the Public Safety Committee could meet with the members of the Fire Department to determine the consensus of the members.

Steve DePascale, President of the Butler Fire Department stated that the ordinance as a whole has never been presented to the members; at this point, they have seen bits and pieces. He would like to see some kind of a poll; he stated the members of his company are all against it. He stated that only nine people are qualified to be officers and that classes have never been offered since Chief Neill was in office. Mr. Lampmann explained that courses are given on a regular basis at the academy, he also stated if the officers are not adequately trained in accordance with the current ordinance should legal action commence the Butler Fire Department would not be the defendant it would be the Borough of Butler. Mr. Lampmann noted that only the active members should be voting, not people who may not have shown up for years. Mr. DePascale noted that he has removed members who have not met the requirements for membership. Mayor Alviene and the Council are in consensus that only active members, should be able to vote on the ordinance. Perhaps a meeting should be held of all the members and the ordinance be distributed to all the active members and a vote taken with the results being given to the Mayor and Council. Mr. Lampmann will reach out to Chief Finelli with the Mayor and Council suggestions.

OPEN PUBLIC DISCUSSION

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

Bob Norman, 31 Cascade Way asked for an update regarding the road grinder suggestion he made previously for Borough roads. Councilman Fox noted that while it is a good idea, it would not work for the Borough. Mr. Norman stated that he recently took a trip to Blirstown using local roads, he noted after he passed through Sparta roadwork has been done, he noted that the patches were the smoothest he had ever encountered, he felt that the road felt as though it was original pavement.

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

Moved: Fox

Second: Regis

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All in favor.

Resolution No. 2019-93 Closed Session – Personnel – Steven DePascale and Tax Appeal – PVC Corporation – 151 Kiel Avenue

Motion: Regis

Second: Fox

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

Voted Nay: None

Absent: Calvi

Motion to return to Open Session:

Motion: Fox

Second: Regis

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

Voted Nay: None

Absent: Calvi

Resolution No. 2019-94 Resolution Authorizing an Amendment to the 2017-2019 Blue Collar Labor Contract

Motion: Fox

Second: Regis

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

Voted Nay: None

Absent: Calvi

Motion to adjourn

Moved: Fox

Second: Meier

All in favor.

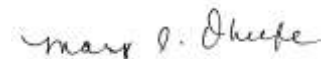
ADJOURNMENT: 7:45 p.m.

Adopted: October 15, 2019



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: October 15, 2019

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**BOROUGH OF BUTLER
RESOLUTION NO. 2019-92**

**RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE BOROUGH OF
BUTLER AND TVSCREENADS, LLC**

WHEREAS, TVScreenads, LLC wishes to provide the Borough with a public information notification system in the form of a television monitor providing the Borough with an outlet for public notices, along with advertisements from local businesses and light entertainment; and


WHEREAS, TVScreenads, LLC will provide the equipment at no charge to the Borough of Butler and provide the Borough with screen time for public notifications of various Borough events.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby authorizes the Borough Administrator to sign the contract a copy of which is on file in the office of the Borough Clerk.

Approved: October 1, 2019


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: October 1, 2019

R 2019-93
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler on the 1st day of October 2019, 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.
 - (X) 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: *Regis*

Second: *Foy*

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**BOROUGH OF BUTLER
RESOLUTION NO. 2019-94**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2017-2019
BLUE COLLAR LABOR CONTRACT**

WHEREAS, the Borough of Butler negotiated a three year contract for the term covering January 1, 2017 through December 31, 2019 with the Blue Collar workers for salary, wages and benefits; and

WHEREAS, as part of the contract Article XIX Workman's Compensation currently allows for one year of payment of full salary (the difference between Worker's Compensation Payment and Actual Salary); and

WHEREAS, an amendment to Article XIX was requested by the Butler Blue Collar Workman's Association so that the Article will now read as follows:

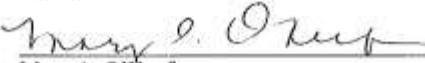
If an Employee sustains a job related injury which is recognized as such and covered by Workman's Compensation Insurance, the Borough shall insure payment of full salary to such Employee, for a period of up to one year or until such Employee is placed on disability retirement, which ever first occurs. *Under extenuating circumstances, the employee may petition the Mayor and Council for an extension of this full payment clause as long as they have been following all of the actions prescribed by their workers compensation case management team. Such extension shall be for a period not to exceed (6) six months (at which time the employee may petition the Mayor and Council again for an additional period not to exceed (3) three more months).* The Employees understand and agree that they may be required to make reimbursement to the Insurance Carrier in the event of a third party action recovery, and that any such reimbursement will be in addition to pay over of Temporary Disability Benefits to the Employer. There shall be no charge to an Employee's sick leave in the event of a bonafide job related injury. The Employer shall have the right to require periodic medical examinations of Employee's on 'eave due to job related injuries. It is the responsibility of the employee to notify his or her supervisor immediately of any injury sustained on the job. Failure to notify the supervisor within 24 hours may result in the claim being denied.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby authorizes this amendment to the Blue Collar Contract pending approval of the Butler Blue Collar Workman's Association a copy of the contract and amendment are on file in the office of the Borough Clerk.

Approved: October 1, 2019


Robert W. Alvene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: October 1, 2019