

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

WORKSHOP MEETING
APRIL 1, 2025
7pm
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The Workshop Meeting of the Borough of Butler Mayor and Council was opened by Mayor Martinez 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 and on the Borough Website.

ROLL CALL

PRESENT: Mayor Martinez, Councilman Calvi, Councilman Guzman, Councilwoman Orcutt, Councilman Piccirillo

ABSENT: Councilman Meier, Council President Verdonik

ALSO PRESENT: Matthew Guilder, Borough Administrator; Christopher Woods, Office of the Borough Attorney and Brandi Greco, Borough Clerk

Motion to excuse the absence of Councilman Meier and Council President Verdonik by Orcutt, Second by Piccirillo and all in favor

APPROVAL OF MINUTES

January 21, 2025

Moved: Orcutt Second: Guzman

Absent: Meier, Verdonik

Abstain: Calvi, Piccirillo

All in favor

February 18, 2025

Moved: Piccirillo Second: Orcutt

Absent: Meier, Verdonik

All in favor

March 4, 2025

Moved: Guzman Second: Orcutt

Absent: Meier, Verdonik

All in favor

RESOLUTION(S)

R 2025-60 Consent Agenda

Moved: Guzman Second: Calvi

Absent: Meier, Verdonik

All in favor

***2025-61** Resolution Authorizing Auction of 4 Dell PowerEdge R740XD Servers

***2025-62** Resolution to Support Publication of Legal Ads on Official Gov't Websites

***2025-63** Resolution Authorizing Approval of and Consent to the Filing of the CDBG Application for Belleview Terrace Water Main Replacement Project

***2025-64** Resolution Authorizing the Award of a Contract with LEW Environmental Services LLC for the Management of Lead Testing for Certain Rental Units.

DISCUSSION

Clerk Greco announced we received an application for use of Butler Park from BUMC for Easter Sunrise Service. Clerk Greco announced Brianne Lipinski took the classes and successfully passed the CMR exam. She will be the Deputy Registrar while Stefanie Schmidt is on maternity leave. Board of Health will present resolution for approval.

OPEN PUBLIC DISCUSSION

Mayor Martinez 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: Orcutt Second: Piccirillo

All in favor

WORKSHOP MEETING
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R 2024-65 Resolution for Motion to meet in Executive Session – Tax Appeal & Attorney Client Privilege
Moved: Orcutt Second: Calvi
All in favor

R 2025-66 Resolution Authorizing Settlement of Tax Appeal
Moved: Piccirillo **Second:** Orcutt
Voted Aye: Calvi, Guzman, Orcutt, Piccirillo
Voted Nay: None
Absent: Meier, Verdonik

ADJOURNMENT: 7:13 p.m.



Ryan Martinez, Mayor

Brandi L. Smith-Greco, RMC
Adopted June 17, 2025

**BOROUGH OF BUTLER
RESOLUTION NO. 2025-60**

RESOLUTION AUTHORIZING PASSAGE OF A CONSENT AGENDA

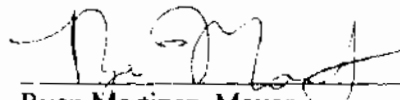
WHEREAS, the Borough Council of the Borough of Butler has reviewed the Consent Agenda consisting of various proposed Resolutions and/or Motions; and

WHEREAS, should any of the members of the Council request, an item may be removed from the Consent Agenda and considered in its normal sequence on the agenda.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and/or Motions on the Consent Agenda are hereby approved:

1. **2025-61** Resolution Authorizing Borough Auction of 4 Dell PowerEdge R740XD Servers
2. **2025-62** Resolution to Support Publishing Legal Notices on Official Government Websites
3. **2025-63** Resolution Authorizing Approval of and Consent to the Filing of the CDBG Application for Belleview Terrace Water Main Replacement Project
4. **2025-64** Resolution Authorizing the Award of a Contract with LEW Environmental Services LLC for the Management of Lead Testing for Certain Rental Units

Approved: April 1, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

**BOROUGH OF BUTLER
RESOLUTION NO. 2025-61**

RESOLUTION AUTHORIZING BOROUGH AUCTION

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-36 the Borough of Butler may sell any personal property; and,

WHEREAS, the Mayor and Council of the Borough of Butler have determined that said property is not needed for public purposes and wishes to divest same; and,

WHEREAS, this sale will be in "as is" condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Butler, as follows:

1. The surplus property to be sold, as identified in Schedule A, shall be sold in an "as is" condition without express or implied warranties.
2. The successful bidder will be required to pay in cash or certified check made out to the Borough of Butler at the time of pick-up of the item. The Borough will not deliver any items to the successful bidder unless the buyer covers all freight charges.
3. The items must be taken off our site within (72) hours after the conclusion of the sale.

SCHEDULE A


Number	Item Description	Minimum Bid
1	QTY 4- Dell PowerEdge R740XD Server QT	\$1,500

Approved: April 1st, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

**BOROUGH OF BUTLER
RESOLUTION NO. 2025-62**

**RESOLUTION TO SUPPORT PUBLISHING LEGAL NOTICES ON OFFICIAL
GOVERNMENT WEBSITES**

WHEREAS, the sunset provision of March 1, 2025 imposed under P.L. 2024 c. 106 is fast approaching in what was a temporary solution that allowed local governments to comply with the public notice requirements under the law in time for annual reorganization meetings in January; and,

WHEREAS, local government officials serve as the stewards of property taxpayer dollars and should no longer be required to subsidize the newspaper industry with revenues collected from publishing legal notices in the press; and,

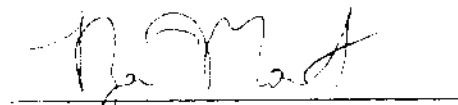
WHEREAS, long before NJ Advanced Media's announcement that it was terminating daily print publications in January of 2025, local government officials found it increasingly difficult to comply with the public notice requirements under the law as the media has become almost exclusively digitized and struggled to retain staff, resources, and publications; and,

WHEREAS, legislation that will authorize local governments to publish legal notices on a local government's official website will streamline an antiquated and overly burdensome process and save valuable time, resources and property taxpayer dollars; and,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Butler, County of Morris, State of New Jersey does in fact, hereby urge state leaders to pass legislation that will authorize municipalities, counties, school districts, and all local governments to publish legal notices in a clear, transparent, and timely manner on a local government's official website.

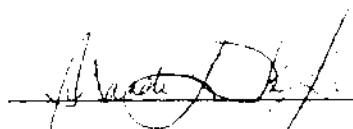
BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to Governor Phil Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, Senator Anthony Bucco, Assemblymembers Christian Barranco and Aura Dunn, and the NJ State League of Municipalities.

Adopted: April 1, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

**BOROUGH OF BUTLER
RESOLUTION NO. 2025-63**

**RESOLUTION AUTHORIZING APPROVAL OF AND CONSENT TO THE FILING OF THE
CDBG APPLICATION FOR BELLEVIEW TERRACE WATER MAIN REPLACEMENT
PROJECT**


WHEREAS, the Borough of Butler desires to submit an application for CDBG funds for the replacement of a water main on Belleview Terrace; and

WHEREAS, the Borough Administrator has prepared the application, together with all other accompanying documents, and obtained a cost estimate from the Borough's Water Engineer; and

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

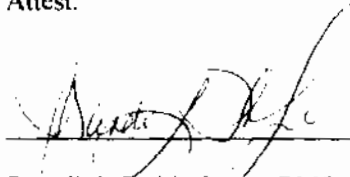
1. The Borough Council authorizes application to the Morris County Community Development Block Grant (CDBG) Program for a water main replacement on Belleview Terrace described in the application.
2. The Borough Administrator is hereby authorized and directed to submit the Application.
3. If awarded CDBG funds, the Borough shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.
4. This resolution shall take effect immediately.

Adopted: April 1, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

**BOROUGH OF BUTLER
RESOLUTION NO. 2025-64**

**RESOLUTION OF THE BOROUGH OF BUTLER, AUTHORIZING THE AWARD OF A
CONTRACT WITH LEW ENVIRONMENTAL SERVICES LLC FOR THE MANAGEMENT
OF LEAD TESTING FOR CERTAIN RENTAL UNITS**

WHEREAS, the Borough of Butler is required to comply with the Lead-Based Paint Inspection in rental dwellings law N.J.A.C. 5:28A, formally P.L. 2021, c.182; and

WHEREAS, the law imposes an obligation on municipalities to perform or hire a certified lead evaluation contractor to perform inspections of certain single-family, two family, and multiple rental dwellings, built before 1978, for lead-based paint hazards every three years or upon tenant turnover where there is no valid lead-safe certification; and

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) certifies lead evaluation contractors pursuant to N.J.A.C. 5:17; and

WHEREAS, the Borough wishes to retain LEW Environmental Services LLC, who has been certified by the NJDCA pursuant to N.J.A.C. 5:17, to perform such services; and

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, as follows:

Section 1. The Mayor, Borough Administrator, and Borough Clerk are hereby authorized and directed to execute a contract with LEW Environmental Services LLC for the management of lead testing for certain rental units.

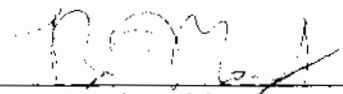
Section 2. LEW Environmental Services LLC shall provide services related to the management of lead testing of rental units in the Borough of Butler as set forth in proposal 3327, dated November 27, 2024.

Section 3. A notice of this action shall be printed once in the legal newspaper of the Borough of Butler as required by law.

Section 4. A copy of this Resolution shall be provided to LEW Environmental Services LLC, 181 US Hwy 46, Mine Hill, NJ 07803, for their information and guidance.

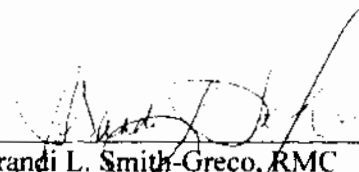
This resolution shall take effect immediately.

Approved: April 1st, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

BOROUGH OF BUTLER
RESOLUTION NO. 2025-65
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler in the County of Morris, State of New Jersey, on the 16th day of July, 2024, 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):

- (X) 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 *Tax appeal: Mustamand LLC*
- () 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).

Date: April 1, 2025

Moved: *Calvin*

Second: *Calvin*

Roll Call: *Calvin, Gygma, ...*

Absent: *Waller*

Brandi L. Smith-Greco
Brandi L. Smith-Greco, RMC

Ryan Martinez
Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTION 2025-66

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX APPEAL
(MUSTAMAND LLC v. BOROUGH OF BUTLER – BLOCK 21, LOT 1)**

WHEREAS, a tax appeal has been filed in the Tax Court of New Jersey captioned “Mustamand LLC v. Borough of Butler” challenging the 2023-2024 tax assessments on Block 21, Lot 1 (6 Robert Street); and

WHEREAS, the Plaintiff and the Tax Assessor have agreed to a settlement of this tax appeal as set forth in a proposed Stipulation of Settlement attached hereto; and

WHEREAS, the Borough Council finds that it is in the best interest of the Borough to approve the proposed settlement.

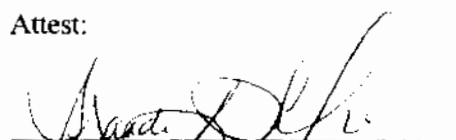
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, in the County of Morris and State of New Jersey, that the Borough Attorney is authorized to execute a Stipulation of Settlement in settlement of all pending tax appeals captioned “Mustamand LLC v. Borough of Butler”; and be it further,

RESOLVED that the Tax Collector is hereby authorized to process any refund required as a result of the settlement of this tax appeal.

Adopted: April 1, 2025


Ryan Martinez, Mayor

Attest:


Brandi Greco, Borough Clerk