

MINUTES OF:  
DATE OF MEETING:  
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COUNCIL MEETING  
AUGUST 18, 2025  
7:00 PM  
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The Council Meeting of the 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. This was followed by The Pledge of Allegiance and a moment of silence for all that have passed.

### **ROLL CALL**

PRESENT: Mayor Martinez, Councilman Guzman, Councilwoman Orcutt, Councilman Piccirillo and Council President Verdonik.

ALSO PRESENT: Matthew Guilder, Borough Administrator; Brandi Greco, Borough Clerk; Robert Oostdyk, Borough Attorney.

Motion to excuse the absence of Councilman Calvi and Councilman Meier by Piccirillo, second by Verdonik and all in favor.

### **APPROVAL OF MINUTES**

May 20, 2025

Moved: Verdonik                      Second: Guzman

All in favor

Absent: Calvi, Meier

### **MEETING OF PUBLIC AND INVITATION FOR DISCUSSION**

Clerk Greco invited Officer Lopez and his family to come forward. Mayor Martinez then administered the oath of office to Officer Kaled Lopez.

Mayor Martinez invited Chloe and Rose Tomaselli to come forward. He congratulated them and issued each a certificate of achievement for their Girl Scout Gold Awards.

Clerk Greco congratulated Officer Lopez and thanked him for taking on such a thankless position. She wished him a safe career. Councilwoman Orcutt also thanked him and said we all appreciate his service.

Mayor Martinez opened the meeting to the public.

Mary Porter – business owner of Ugly Duck Salon on Main Street - came forward and requested a handicapped parking space be added in front of their salon on Main Street. Many of their customers are elderly or disabled and have a hard time getting there. She said the ramps are too far and said a lot of times cars and the Dial a Ride van stop in front causing additional traffic hazards. Matthew Guilder said he will look at the tax maps- he needs to see if this is private property and check Borough Ordinance. Clerk Greco said this issue came up approximately 5 years ago and no changes were permitted at that time. It didn't fall on deaf ears, it just wasn't permitted at that location. Mr. Guilder and Council agreed to look into it further.

Henry Monteferrante – 12 Second Street – he was also here last month. Asked if we discussed his suggestion regarding reimbursements for carry permits. Mayor said there was no discussion but he has a resolution coming later in the meeting.

Daniel Francisco - (Mayor of Englishtown) said his Borough inaugurated the nullification of 2C:58-4. Strongly encourages the passing of a resolution regarding the reimbursement of fees for carry permits. He thanked the Mayor for supporting his bill and hopes the council is sympathetic to passing it this evening.

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

Moved: Orcutt

Second: Piccirillo

All in favor

### **REPORTS OF COMMITTEES AND DEPARTMENT HEADS**

**Council President Verdonik** announced Spooky Stonybrook will take place on October 18th. There is nothing to report on Finance.

**Councilman Guzman** said there is no Health report.

**Councilwoman Orcutt** stated in the Water Dept., routine maintenance and customer service continues as needed. DPW completed extensive repairs on the July 14<sup>th</sup> water main break with assistance from an outside contractor. She thanked all those involved for working around the clock multiple days to get it done. On July 27<sup>th</sup> we had a smaller break on Carey and Bartholdi resulting in low

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pressure until the leak was isolated. In Sewer, routine maintenance and inspections were performed as necessary. No back-ups or pump station issues since last report.

**Councilman Piccirillo** stated we had 25 MV accidents, 18 considered reportable with 1 injury. One DUI arrest. 157 summonses were issued from 297 stops and 7 arrests for a variety of offenses. 1698 total service calls for the month. 12 firearm applications processed.

Brandi Greco reported on the following:

- Tax Collectors Report – July 2025 - \$2,273,776.04
- Power & Light/Water & Sewer Dept. – July, 2025 - \$2,537,886.28

#### **APPROVAL OF VOUCHERS AND PAYROLL**

##### **R 2025-111 Authorization for Payment of Bills and Vouchers**

Moved: Verdonik Second: Piccirillo

Voted Aye: Guzman, Orcutt, Piccirillo, Verdonik

Voted Nay: None

Absent: Calvi, Meier

#### **PRESENTATION OF CORRESPONDANCE, PETITIONS**

Firefighter application for Keith Koppenal was unanimously approved

#### **ORDINANCE(S) FOR ADOPTION**

- A. **2025-09** An Ordinance Amending the Borough of Butler Code of Ordinances to Repeal Article 124; to Adopt a New Article 124; to Adopt Flood Hazard Maps; to Designate a Floodplain Administrator and Providing for Severability and an Effective Date  
Introduced: July 15, 2025  
Advertised: July 27, 2025  
Now open for public comment  
A motion was made to close public comment and move 2025-09 by Orcutt with a second by Verdonik.  
Voted Aye: Guzman, Orcutt, Piccirillo, Verdonik  
Voted Nay: None  
Absent: Calvi, Meier

#### **RESOLUTION(S)**

- A. **2025-112** Resolution Authorizing the Purchase of a Dump Truck  
Moved: Guzman Second: Orcutt  
All in favor
- B. **2025-113** Resolution Authorizing the Purchase of a Wood Chipper  
Moved: Orcutt Second: Verdonik  
All in favor
- C. ~~2025-114 Resolution Authorizing Place to Place transfer for Padma & Sons, LLC~~  
Carried to September meeting due to delay in closing
- D. ~~2025-115 Resolution Authorizing Person to Person transfer from Jiggs to Duffy's Celtic Knot~~  
Carried to September meeting due to delay in closing
- E. **2025-116** Authorize Advertisement and Receipt of Bids for Road Improvements at Hillcrest Avenue  
Moved: Verdonik Second: Piccirillo  
Voted Aye: Guzman, Orcutt, Piccirillo, Verdonik  
Noted Nay: None  
Absent: Calvi, Meier
- F. **2025-117** Resolution for Renewal of Membership in the Morris County Municipal Joint Insurance Fund

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Moved: Orcutt                      Second: Piccirillo  
Voted Aye: Guzman, Orcutt, Piccirillo, Verdonik  
Noted Nay: None  
Absent: Calvi, Meier

G. **2025-118** Resolution Making Application to the Local Finance Board Pursuant to NJSA 58:26-19

Moved: Verdonik                      Second: Piccirillo  
Voted Aye: Guzman, Orcutt, Piccirillo, Verdonik  
Noted Nay: None  
Absent: Calvi, Meier

Clerk Greco announced there were 2 late add-on resolutions that she will present at this time:

**2025-120** Resolution Authorizing Refund of Municipal Portion of Handgun Carry Permit Fee Upon Submission of Receipt

Moved: Orcutt                      Second: Piccirillo  
Voted Aye: Guzman, Orcutt, Piccirillo, Verdonik  
Noted Nay: None  
Absent: Calvi, Meier

**2025-121** Resolution Authorizing Refund, Overpayment or Cancellation in the Water Dept.

Moved: Orcutt                      Second: Piccirillo  
All in favor

**UNFINISHED/NEW BUSINESS**

Main Street Cameras - Mayor Martinez said as we continue the Main Street discussions, new garbage cans are coming and he wants all property owners fined. Bottom line. Something has to change down there. Council agreed cans are deteriorated and need new ones. Mr. Guilder will contact Bloomingdale to make sure cans are in compliance for pickup. As for the cameras, Council President Verdonik said none of the questions were answered on what we can do with the information obtained from cameras. Councilwoman Orcutt questioned what type of workload would be added from potential OPRA's. Councilman Guzman and Councilwoman Orcutt questioned retention time/requirements as well as the ongoing expense. Mr. Oostdyk said we are enforcing garbage and litter, not serious crimes so we just need to uphold the penalties in our ordinance. Council President Verdonik questioned what is OPRA-able. Mayor stated he is not concerned about OPRA. Council President Verdonik said be prepared to hire someone if OPRA becomes overwhelming. Clerk Greco questioned if they would have to redact videos. Mr. Oostdyk said it would not apply with a public camera. Clerk Greco asked if we had to officially notify residents once the cameras are installed. Mr. Oostdyk said no. We will be putting signs up. Council President Verdonik said he is responsible for the budget and wants a clear, full picture of what these cameras entail. Mayor then asked for a vote. Clerk Greco said there is nothing official to vote on, they can all just voice their opinion. Mayor gave Mr. Guilder the approval to move forward with ordering the cameras.

**INVITATION FOR DISCUSSION FROM THE PUBLIC**

Mayor Martinez opened the meeting to the public.

Dan Masin – 81 Bartholdi – employee and resident on Bartholdi Ave. He said these cameras are a complete waste of money. He takes pride in this town but lately it is disgusting. He said enforcement has to be our number one priority. Fine the landlord and they will make the tenants responsible. It shouldn't be the towns problem, it should be the landlords. He said no one is cleaning up his sidewalk or taking care of his extra garbage, so why should they on Main Street? He stated we are not putting these cameras on public property - these sidewalks are privately owned by the landlords!

Denis Goerner – 170 Main St. business owner and 40 Manning Ave resident– As a store owner said he is in agreement with cameras. Stated he has numerous videos of the same building responsible for the mess. He questioned Mr. Guilder why his videos were not enough evidence to send violations. He then said e-bikers are barreling down the sidewalks. The Mayor said signs and laws are great but without someone there to enforce it, we can't do anything. Then stated democrat governor and assembly and senate says don't bother these people. Mr. Goerner questioned again- why we can't enforce the garbage with his video when we see the person walk out their door and put the bag out.

Henry Monteferrante approached again and thanked Council for passing R 2025-120.

Daniel Francisco, Mayor of Englishtown, approached again and thanked Council for the support and passing of R 2025-120.

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Seeing no one else come forward a motion was made to close public comment.

Moved: Orcutt

Second: Piccirillo

All in favor

**CLOSED SESSION** 2025-119 Resolution for Motion to meet in Executive Session – Collective Bargaining Negotiations, Personnel Matter and Acquisition of Real Property

Moved: Verdonik

Second: Orcutt

All in favor

Council returned to Open Session at 8:11pm by a Motion from Piccirillo, Second by Orcutt and all in favor.

**MOTION TO ADJOURN THE MEETING**

Moved: Verdonik

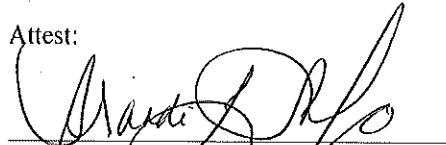
Second: Guzman

All in favor

Adjournment: 8:12 pm

  
Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

Adopted: October 7, 2025

BOROUGH OF BUTLER  
RESOLUTION R 2025-111

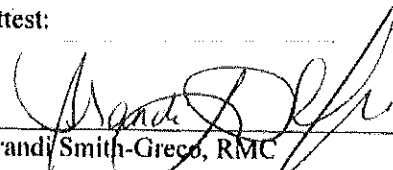
AUTHORIZATION FOR PAYMENT OF BILLS

RESOLUTION THAT THE BILLS AS ATTACHED AND PRESENTED BY THE FINANCE OFFICER  
AND APPROVED BY THE FINANCE COMMITTEE BE AUTHORIZED FOR PAYMENT

Name	Moved	Second	Aye	Nay	Absent	Abstain
A. Calvi					✓	
J. Guzman			✓			
R. Meier					✓	
B. Orcutt			✓			
M. Piccirillo		✓	✓			
R. Verdonik	✓		✓			

  
Ryan Martinez, Mayor

Attest:

  
Brandi Smith-Greco, RMC

Dated: August 18, 2025

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01:54 PM

BOROUGH OF BUTLER  
Check Payment Batch Verification Listing

Page No: 1

Batch Id: RD Batch Type: C Batch Date: 08/18/25 Checking Account: CLAIMS G/L Credit: Budget G/L Credit  
Generate Direct Deposit: N

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
25-00571	08/18/25 05/06/25	ABA02 ABARB PEST SERVICES 5 JULY SERVICES FOR FD	40.00 <u>40.00</u>	869 RINGWOOD AVENUE 5-01-26-310-550 B&G Contracted Services	Budget	Aprv	47	1	
25-00723	08/18/25 06/05/25	ACL02 ACLARA TECHNOLOGIES, LLC 1 MAINTENCE RENEWAL-07/25-06/26	25,922.00 <u>25,922.00</u>	PO BOX 7411035 5-09-55-501-550 Electric Sub Station Maintenance	Budget	Aprv	109	1	
25-00917	08/18/25 07/29/25	ADV01 ADVANCED ALARM SYSTEMS, INC. 1 REPAIRED DMGD ZONE-FD	145.00 <u>145.00</u>	6 KINGSBRIDGE ROAD 5-01-25-265-430 FIRE Maintenance and Repairs	Budget	Aprv	169	1	
25-00904	08/18/25 07/22/25	ADV10 ADVANCED WATER SOFTENING, LLC 1 service call	175.00 <u>175.00</u>	1230 ROUTE 23 NORTH 5-05-55-500-430 WATER ADMINISTR Maintenance and Repairs	Budget	Aprv	154	1	
25-00535	08/18/25 05/01/25	AFF03 AFFILIATED TECHNOLOGY SOLUTION 13 MTHLY T1 PRE CIRCIT-AUG BILL	606.00	5-01-31-440-300 Telephone	Budget	Aprv	33	1	
25-00535	05/01/25	14 MTHLY T1 PRE CIRCIT-AUG BILL	181.80	5-05-55-500-205 WATER ADMINISTR Postage & Phone	Budget	Aprv	34	1	
25-00535	05/01/25	15 MTHLY T1 PRE CIRCIT-AUG BILL	424.20	5-09-55-500-205 Electric Postage & Phone	Budget	Aprv	35	1	
25-01014	08/14/25	1 headsets for electric utility	113.95 <u>1,325.95</u>	5-09-55-500-201 Electric Office Supplies	Budget	Aprv	255	1	
25-01015	08/14/25	1 lg ntrgn/sm argn/sm propn	53.25	P. O. BOX 734445 5-09-55-501-550 Electric Sub Station Maintenance	Budget	Aprv	256	1	
25-01015	08/14/25	2 rent cyl lg actyln/sm propn	32.25	5-01-25-265-430 FIRE Maintenance and Repairs	Budget	Aprv	257	1	
25-01015	08/14/25	3 lg acetyln/large oxygen	24.00	5-01-26-290-640 STREETS & ROADS Rental	Budget	Aprv	258	1	
25-01015	08/14/25	4 rent cyl large argon	18.75	5-09-55-501-465 Electric Rental & Easements	Budget	Aprv	259	1	
25-01015	08/14/25	5 lease cycle for elec	63.75 <u>192.00</u>	5-09-55-501-550 Electric Sub Station Maintenance	Budget	Aprv	260	1	
25-00603	08/18/25 05/12/25	ALL02 ALLIED OIL COMPANY 16 MTHLY FUEL SRV-RDS/FD/PD/MOW	3,974.70	P.O. BOX 392 5-01-31-460-315 Gasoline	Budget	Aprv	70	1	
25-00603	05/12/25	17 MTHLY FUEL SRV-TRIBORO	694.40	Z-01-55-900-850 School Gas Reimbursement	Budget	Aprv	71	1	

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25-00603	05/12/25	18 MTHLY FUEL SRV-BD OF ED	287.68	Z-01-55-900-850	Budget	Aprv	72	1
25-00603	05/12/25	19 MTHLY FUEL SRV-ELECTRIC	441.63	School Gas Reimbursement 5-09-55-500-315 Electric Gasoline & Diesel	Budget	Aprv	73	1
			<u>5,398.41</u>					
25-00984	08/08/25	1 toilet paper/bags paper towels	242.50	5 MATHEWS AVENUE 5-01-28-370-250 RECREATION Other Supplies	Budget	Aprv	224	1
			<u>242.50</u>					
25-00929	08/04/25	1 SHUTOFF COCK	22.50	770 ROUTE 23 5-01-26-290-250	Budget	Aprv	177	1
25-00929	08/04/25	2 16" ASPHALT BLADES	330.00	STREETS & ROADS Other Supplies 5-01-26-290-250	Budget	Aprv	178	1
25-00929	08/04/25	3 2" DISCHARGE HOSE	195.98	STREETS & ROADS Other Supplies 5-05-55-501-645	Budget	Aprv	179	1
25-00929	08/04/25	4 3" DISCHARGE HOSE	274.00	WATER OPS WATER DISTRIBUTION-TOOLS 5-05-55-501-645	Budget	Aprv	180	1
25-00929	08/04/25	5 3" HOSE WASHERS	5.50	WATER OPS WATER DISTRIBUTION-TOOLS 5-05-55-501-645	Budget	Aprv	181	1
25-00929	08/04/25	6 50:1 OIL	35.70	WATER OPS WATER DISTRIBUTION-TOOLS 5-05-55-501-645	Budget	Aprv	182	1
25-00929	08/04/25	7 3" SUCTION HOSE	179.00	WATER OPS WATER DISTRIBUTION-TOOLS 5-05-55-501-645	Budget	Aprv	183	1
25-00929	08/04/25	8 PRESSURIZED WATER TANK	126.75	WATER OPS WATER DISTRIBUTION-TOOLS 5-05-55-501-645	Budget	Aprv	184	1
25-00929	08/04/25	9 RECOIL ASSEMBLY	47.28	WATER OPS WATER DISTRIBUTION-TOOLS 5-05-55-501-645	Budget	Aprv	185	1
25-00929	08/04/25	10 saw 16" cutquick TS800	1,805.00	WATER OPS WATER DISTRIBUTION-TOOLS 5-05-55-501-645	Budget	Aprv	186	1
			<u>3,021.71</u>					
25-00997	08/11/25	1 TAPE/POWER SUPPLY/OUTAGE/PRTCT	225.93	PO BOX 035184 5-01-26-310-430 B&G Facility Maint & Repairs	Budget	Aprv	237	1
			<u>225.93</u>					
25-00907	07/22/25	1 HOSE ASSEMBLY/PLUG-ELEC	163.14	PO BOX 440 5-09-55-500-430	Budget	Aprv	162	1
			<u>163.14</u>	Electric Maintenance and Repairs				
25-00898	07/22/25	1 PROF ENG SRVCS FOR JUNE'25-WTR	949.50	ASSOCIATES, INC 5-05-55-500-575	Budget	Aprv	148	1
25-00971	08/07/25	1 PROF SRVCS-RT23 BOOSTER STATN	1,737.50	WATER ADMINISTR ENGINEERING FEES W-06-55-530-101	Budget	Aprv	216	1
25-00972	08/07/25	1 PROF SRVCS SPRING ST WTR PROJ	2,956.30	ORD 2025-07 ROUTE 23 NEWARK INTERCONNECT W-06-55-530-102	Budget	Aprv	217	1
			<u>5,643.30</u>	ORD 2025-07 CDBG SPRING STREET -FUNDED				

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Check Payment Batch Verification Listing

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Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description			Description				
24-00445	08/18/25	ANI02 ANIXTER INC		PO BOX 842584					
04/09/24	17	M13 METERS 12S CL200 TWACS MDL	39,900.00	4-09-55-501-440	Budget	Aprv	1	1	
25-00982	08/08/25	1 2/0 OH triplex wire	2,000.00	Meters					
				5-09-55-501-450	Budget	Aprv	222	1	
			41,900.00	Electric Wire					
25-01020	08/18/25	ANT02 ANTHONY FRANCO'S PIZZERIA		1516 ROUTE 23					
08/18/25	1	'25 NATIONAL NIGHT OUT-PD	700.00	5-09-55-505-550	Budget	Aprv	264	1	
			700.00	Electric Other Professional Fees					
25-00688	08/18/25	ASS08 ASSOCIATED APPRAISAL GROUP		C/O TERESA SHERMAN					
06/02/25	4	#7-Reassessment	2,900.00	5-01-20-152-200	Budget	Aprv	107	1	
			2,900.00	TAX ASSESSOR REVALUATION EXPENSES					
25-00601	08/18/25	ATL15 ATLANTIC TOMORROWS OFFICE		ATLANTIC BUSINESS PRODUCTS					
05/12/25	13	MTHLY SERVICES JULY '25	6.08	5-01-20-100-430	Budget	Aprv	67	1	
25-00601	05/12/25	14 MTHLY SERVICES JULY '25	3.04	A&E Maintenance and Repairs					
				5-05-55-500-430	Budget	Aprv	68	1	
25-00601	05/12/25	15 MTHLY SERVICES JULY '25	6.08	WATER ADMINISTR Maintenance and Repairs					
			15.20	5-09-55-500-430	Budget	Aprv	69	1	
				Electric Maintenance and Repairs					
25-00544	08/18/25	ATL18 ATLANTIC COAST RECYCLING, LLC		101 7TH STREET					
06/16/25	4	MONTHLY SERVICES FOR JUNE '25	2,828.05	5-01-26-305-341	Budget	Aprv	37	1	
25-00544	06/16/25	5 MONTHLY SERVICES FOR JULY '25	5,350.18	G&T RECYCLING/ YARD WASTE					
			8,178.23	5-01-26-305-341	Budget	Aprv	38	1	
				G&T RECYCLING/ YARD WASTE					
25-00546	08/18/25	ATT02 AT&T MOBILITY LLC		PO BOX 6463					
05/05/25	13	MTHLY PHONE SERVICE-JULY '25	403.08	5-09-55-500-205	Budget	Aprv	40	1	
25-00546	05/05/25	14 MTHLY PHONE SERVICE-JULY '25	201.54	Electric Postage & Phone					
				5-01-31-440-300	Budget	Aprv	41	1	
25-00546	05/05/25	15 MTHLY PHONE SERVICE-JULY '25	67.17	Telephone					
			671.79	5-05-55-500-205	Budget	Aprv	42	1	
				WATER ADMINISTR Postage & Phone					
25-00046	08/18/25	BLO01 BLOOMINGDALE BOROUGH		101 HAMBURG TURNPIKE					
07/17/25	3	'25 QTRLY FIRE OFFICIAL-QTR 3	4,590.00	5-01-42-825-200	Budget	Aprv	6	1	
25-00047	07/17/25	3 '25 QTRLY ANIMAL CONTROL-QTR 3	7,157.50	BLOOMINGDALE FIRE OFFICIAL INTERLOCAL					
				5-01-27-340-650	Budget	Aprv	7	1	
25-00048	07/17/25	3 '25 CONSTRUCTION DEPT SRVCS-Q3	27,378.75	Animal Control Expenses					
				5-01-42-800-200	Budget	Aprv	8	1	
25-00315	07/17/25	3 '25 RECYCLING SERVICES-QTR3	79,050.00	BLOOMINGDALE CONST. INTERLOCAL OE					
				5-01-26-305-340	Budget	Aprv	25	1	
				G&T Garbage Removal					



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25-00316	07/17/25	3 '25 VEGETATIVE WASTE SRVCS-Q3	28,050.00	5-01-26-305-340 G&T Garbage Removal	Budget	Aprv	26	1
25-00317	07/17/25	3 '25 SOLID WASTE SRVCS-QTR 3	102,000.00	5-01-26-305-340 G&T Garbage Removal	Budget	Aprv	27	1
			<u>248,226.25</u>					
25-00567	08/07/25	9 MTHLY SERVICE-AUGUST BILL	8,633.18	5-01-31-430-305 Electric	Budget	Aprv	44	1
25-00567	08/07/25	10 MTHLY SERVICE-AUGUST BILL	11,699.42	5-05-55-500-350 WATER ADMINISTR ELECTRIC	Budget	Aprv	45	1
			<u>20,332.60</u>					
25-00612	05/13/25	5 ***WIRED***JULY 2025 SRVCS	419,698.59	201 HELIOS WAY 5-09-55-504-200 Electric Purchased Power	Budget	Aprv	78	1
			<u>419,698.59</u>					
25-01007	08/14/25	1 CRUSHED STN T#7502605-7502608	484.11	5-01-26-290-650 STREETS & ROADS Road Repair Materials	Budget	Aprv	246	1
			<u>484.11</u>					
25-01013	08/14/25	1 PROF PLANNING SRVCS-47119	187.50	25 WESTWOOD AVE 5-01-21-180-550 PB Other Professional Fees	Budget	Aprv	254	1
			<u>187.50</u>					
25-00006	07/17/25	8 SCHOOL TAX LEVY-AUGUST	1,711,051.66	BARTHOLDI AVENUE Z-01-55-900-210 School Taxes Payable	Budget	Aprv	2	1
			<u>1,711,051.66</u>					
25-00009	07/17/25	3 LIBRARY-QTRLY LIABILITY TAX	117,721.81	ONE ACE ROAD 5-01-29-390-650 Library Operations	Budget	Aprv	3	1
			<u>117,721.81</u>					
25-01003	08/13/25	1 ANN'L REIMB-RECOG DINNER '25	620.00	26 CAREY AVENUE 5-01-25-265-650 FIRE INCENTIVE PROGRAM	Budget	Aprv	243	1
			<u>620.00</u>					
25-00446	08/14/25	8 07870-397169-01-4-FD-AUG'25	12.23	PO BOX 70340 5-01-25-265-205 FIRE Phone	Budget	Aprv	29	1
			<u>12.23</u>					
25-00547	05/05/25	5 07870-711010-02-5-PD AUG B/PD	192.71	PO BOX 70340 5-01-25-240-550 POLICE Other Professional Fees	Budget	Aprv	43	1
			<u>192.71</u>					

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Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description			Description				
25-00931	08/18/25	CAP07 CAPITOL SUPPLY		149 OLD TURNPIKE ROAD					
	08/04/25	1 12" REPAIR COUPLINGS	1,167.98	5-05-55-501-435	Budget	Aprv	190	1	
				EMERGENCY WATER MAIN REPAIR					
			1,167.98						
25-00962	08/18/25	CAR01 EDWARD CARD		9 DEERFIELD DRIVE					
	08/05/25	3 QTRLY CELL REIMB	88.50	5-01-26-310-575	Budget	Aprv	209	1	
				B&G IT Contracts and Services					
25-00962	08/05/25	4 QTRLY CELL REIMB	88.50	5-09-55-500-205	Budget	Aprv	210	1	
				Electric Postage & Phone					
			177.00						
25-01002	08/18/25	CAR030 CARNER BROTHERS		10 STEEL COURT					
	08/13/25	1 12" Insertion Valve	3,750.00	W-06-55-530-407	Budget	Aprv	242	1	
				ORD: 2025-07 HYDRANTS & VALVES -FUNDED					
			24,000.00	W-06-55-530-406	Budget			2	
				ORD: 2025-07 HYDRANTS & VALVES -UNFUNDE					
			27,750.00						
25-00896	08/18/25	CIT02 CIT-e-NET. LLC		913 ROUTE 23					
	07/22/25	1 SUBSCRIPT-08/01-07/26-WEB FRMS	585.00	5-01-20-100-550	Budget	Aprv	146	1	
				A&E Other Professional Fees					
			585.00						
25-00572	08/18/25	CON29 CONSTELLATION ENERGY		GENERATION, LLC					
	05/06/25	5 WIRED-JULY '25 SERVICES****	276,933.28	5-09-55-504-200	Budget	Aprv	48	1	
				Electric Purchased Power					
			276,933.28						
25-00966	08/18/25	COX DEBORAH COX		279 BROOK VALLEY ROAD					
	08/06/25	1 OVERPAYMENT-FINAL BILL WATER	8.57	Z-05-55-900-700	Budget	Aprv	212	1	
				Water Rent Overpayment Payable					
			8.57						
25-00992	08/18/25	DEC06 STEPHEN DECKER		5-09-55-507-900	Budget	Aprv	231	1	
	08/08/25	1 '25 EYECARE REIMBURSEMENT	400.00	ELECTRIC GROUP HEALTH INS					
			400.00						
25-00610	08/18/25	DEC10 JAKE DECKER		5-09-55-500-205	Budget	Aprv	77	1	
	05/13/25	5 MTHLY PHONE REIMBUR-AUG '25	50.00	Electric Postage & Phone					
			50.00						
25-01017	08/18/25	DEP01 DEPOSITORY TRUST COMPANY		5-01-45-920-650	Budget	Aprv	262	1	
	08/15/25	1 *WIRED*BOND PRINCIPAL-08/15/25	150,000.00	Bond Principal					
			105,000.00	5-05-55-540-650	Budget			2	
				WATER OPERATING - BOND PRIN					
			150,000.00	5-09-55-540-650	Budget			3	
				ELECTRIC OPERATING - BOND PR					

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25-01023	08/18/25	1 ***WIRED***PRINCIPAL	1,288,000.00	Z-04-55-900-100 B.A.N. RENEWAL	Budget	Aprv	266	1
25-01023	08/18/25	2 ***WIRED***INTEREST	54,739.99	Z-04-55-900-100 B.A.N. RENEWAL	Budget	Aprv	267	1
			<u>1,747,739.99</u>					
25-00943	08/04/25	1 PROF SRVCS JULY 17 & 18TH	101.50	714 MAIN STREET 5-01-20-155-500 LEGAL SERVICES	Budget	Aprv	204	1
			<u>101.50</u>					
25-00987	08/08/25	1 BRAKE CHAMBER	417.08	15 WELDON ROAD 5-09-55-501-230 Electric Auto Parts/ Repair	Budget	Aprv	227	1
			<u>417.08</u>					
25-00897	07/22/25	1 BLANK TAX BILLS/BUNDLE/DUP PKS	55.50	301 A TILTON ROAD 5-01-20-145-525 TAX COLLECTOR Printing	Budget	Aprv	147	1
25-00910	07/22/25	1 REGULAR TAX BILLS-PART 2	782.42	5-01-20-145-525 TAX COLLECTOR Printing	Budget	Aprv	166	1
25-01000	08/11/25	1 BLANK TAX BILLS/PACK DUPLICATE	18.50	5-01-20-145-525 TAX COLLECTOR Printing	Budget	Aprv	240	1
			<u>856.42</u>					
25-00867	07/09/25	1 EMF 1213 FOR ELEC	14.12	230 WEST PARKWAY 5-09-55-501-230 Electric Auto Parts/ Repair	Budget	Aprv	134	1
25-00867	07/09/25	2 H7/L4 94R-AGM/AUTO CORE-PD 335	181.95	5-01-26-315-271 VEH MAINT. Police / Veh Maint & Repairs	Budget	Aprv	135	1
25-00914	07/29/25	1 BH BATTERIES FOR GENERATOR	439.20	5-01-26-310-430 B&G Facility Maint & Repairs	Budget	Aprv	167	1
			<u>635.27</u>					
25-00946	08/04/25	1 TIRE REPAIR FOR ELEC	1,310.94	375 SOUTH DEAN ST 5-09-55-501-430 Electric Maintenance and Repairs	Budget	Aprv	206	1
25-00946	08/04/25	2 MOUNT AND BALANCE TIRES-PD	509.96	5-01-26-315-271 VEH MAINT. Police / Veh Maint & Repairs	Budget	Aprv	207	1
25-00946	08/04/25	3 MOUNT AND BALANCE TIRES-PD	176.87	5-01-26-315-271 VEH MAINT. Police / Veh Maint & Repairs	Budget	Aprv	208	1
			<u>1,997.77</u>					
25-00583	05/08/25	5 MTHLY CLEANING SRVC-MUSEUM-JUL	200.00	CLEANING SERVICE 5-01-29-391-630 MUSEUM Cleaning and Facility Maintena	Budget	Aprv	59	1
			<u>200.00</u>					
25-00864	07/09/25	1 BRAKE PADS/CALIPER-RDS	1,429.90	5715 BERKSHIRE VALLEY RD 5-01-26-315-230 VEH MAINT. Roads / Auto Parts	Budget	Aprv	130	1
25-00864	07/09/25	2 TIE ROD END-OUTER/STEERING-RDS	659.94	5-01-26-315-230	Budget	Aprv	131	1

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25-00864	07/09/25	3 WINDSHIELD WASH/BRK PTS-SHOP	44.89	VEH MAINT. Roads / Auto Parts 5-09-55-501-230	Budget	Aprv	132	1
			44.89	Electric Auto Parts/ Repair 5-01-26-315-270	Budget			2
			44.89	VEH MAINT. Police / Auto Parts 5-01-26-315-230	Budget			3
			14.97	VEH MAINT. Roads / Auto Parts 5-05-55-501-230	Budget			4
25-00864	07/09/25	4 HAND SPRAYER/AC FLUSH/THRMOST	48.16	WATER OPER OPS Auto Parts 5-09-55-501-230	Budget	Aprv	133	1
			48.16	Electric Auto Parts/ Repair 5-01-26-315-270	Budget			2
			48.16	VEH MAINT. Police / Auto Parts 5-01-26-315-230	Budget			3
			16.05	VEH MAINT. Roads / Auto Parts 5-05-55-501-230	Budget			4
25-00923	07/29/25	1 OIL FILTER/VAC TUBING FD	114.80	WATER OPER OPS Auto Parts 5-01-25-265-430	Budget	Aprv	171	1
25-00923	07/29/25	2 GOLD OIL FLTR/BRK PRS CLNR-FD	138.87	FIRE Maintenance and Repairs 5-01-25-265-430	Budget	Aprv	172	1
25-00923	07/29/25	3 OIL FILTER-FD	119.78	FIRE Maintenance and Repairs 5-01-25-265-430	Budget	Aprv	173	1
25-00923	07/29/25	4 DISC BRK PADS/BRK ROTAR-DPW	760.14	FIRE Maintenance and Repairs 5-01-26-315-230	Budget	Aprv	174	1
25-00923	07/29/25	5 BOMBS AWAY/LUCAS RED-TACKY GRS	139.41	VEH MAINT. Roads / Auto Parts 5-09-55-501-230	Budget	Aprv	175	1
			139.41	Electric Auto Parts/ Repair 5-01-26-315-270	Budget			2
			139.41	VEH MAINT. Police / Auto Parts 5-01-26-315-230	Budget			3
			46.46	VEH MAINT. Roads / Auto Parts 5-05-55-501-230	Budget			4
25-00942	08/04/25	1 REPAIRS ON UNDERCOVER CAR-PD	186.59	WATER OPER OPS Auto Parts 5-01-26-315-271	Budget	Aprv	203	1
			4,184.88	VEH MAINT. Police / Veh Maint & Repairs				
25-00993	08/11/25	1 VARIOUS ADS-JULY BILL PERIOD	194.06	LOCALIQ 5-01-20-120-520	Budget	Aprv	232	1
25-00993	08/11/25	2 VARIOUS ADS-JULY BILL PERIOD	27.28	CLERK Advertising 5-01-20-100-520	Budget	Aprv	233	1
25-00993	08/11/25	3 VARIOUS ADS-JULY BILL PERIOD	24.18	A&E Advertising 5-01-20-100-520	Budget	Aprv	234	1
25-00993	08/11/25	4 VARIOUS ADS-JULY BILL PERIOD	5.27	A&E Advertising 5-01-20-120-520	Budget	Aprv	235	1
25-00993	08/11/25	5 VARIOUS ADS-JULY BILL PERIOD	32.86	CLERK Advertising 5-01-20-120-520	Budget	Aprv	236	1
			283.65	CLERK Advertising				
25-00974	08/07/25	1 GRAB SAMPLES-STONYBROOK	350.00	410 HILLSIDE AVE 5-01-28-370-430	Budget	Aprv	219	1

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				RECREATION Maintenance and Repairs				
			350.00					
25-00658	08/18/25 05/22/25	GEN08 GENESIS CLEANING SERVICES LLC 10 MONTHLY CLEANING SERVICES-AUG	1,707.00	243 SECOND STREET 5-01-26-310-550	Budget	Aprv	93	1
25-00658	05/22/25	11 MONTHLY CLEANING SERVICES-AUG	569.00	B&G Contracted Services 5-05-55-501-630	Budget	Aprv	94	1
25-00658	05/22/25	12 MONTHLY CLEANING SERVICES-AUG	569.00	WATER OPS Cleaning & Facility Maintena 5-09-55-500-630	Budget	Aprv	95	1
			2,845.00	Electric Cleaning & Facility Maintenance				
				538 BROADHOLLOW ROAD				
25-00932	08/18/25 08/04/25	H2M H2M ASSOCIATES, INC. 2 PROJECTS-RECONFIGURATION-WATER	8,321.56	W-06-55-535-101	Budget	Aprv	191	1
25-00932	08/04/25	3 PROJECTS-RECONFIGURATION-WATER	4,730.40	ORD: 2025-08 IMPROV TO WATER PLANT W-06-55-535-101	Budget	Aprv	192	1
			13,051.96	ORD: 2025-08 IMPROV TO WATER PLANT				
				2207 COLLECTIONS CNTR DR.				
25-00826	08/18/25 07/03/25	HAC01 HACH COMPANY 1 STABLCAL AMP KIT-WATER	390.00	5-05-55-501-580	Budget	Aprv	122	1
25-00826	08/13/25	2 STABLCAL AMP KIT-WATER	390.00	WATER OPER OPS LAB CONSUMABLES 5-05-55-501-580	Budget	Aprv	123	1
			780.00	WATER OPER OPS LAB CONSUMABLES				
				PO BOX 389				
25-00777	08/18/25 06/23/25	HAC05 HACH SERVICE 1 Service contract for CL17s	3,000.00	5-05-55-501-570	Budget	Aprv	112	1
			3,000.00	WATER OPER OPS DEP COMPLIANCE				
				79 FISK ROAD				
25-00580	08/18/25 07/07/25	HAL07 HALAS LANDSCAPE CONTRACTORS IN 19 MTHLY LAWNS MAINT-AUG-6 OF 10	2,699.90	5-01-26-310-550	Budget	Aprv	55	1
25-00580	05/08/25	20 MTHLY LAWNS MAINT-AUG-6 OF 10	771.40	B&G Contracted Services 5-09-55-500-550	Budget	Aprv	56	1
25-00580	05/08/25	21 MTHLY LAWNS MAINT-AUG-6 OF 10	385.70	Electric Other Professional Fees 5-05-55-500-550	Budget	Aprv	57	1
25-00581	05/08/25	7 LAWN MAINT-STONYBROOK-AUG-#6	1,100.00	WATER ADMINISTR Other Professional Fees 5-01-28-370-430	Budget	Aprv	58	1
			4,957.00	RECREATION Maintenance and Repairs				
				AND ACCESSORIES				
25-00968	08/18/25 08/07/25	HAR04 HARRINGTON'S SPEED AND AUTO 1	1,164.47	5-09-55-501-230	Budget	Aprv	214	1
			1,164.47	Electric Auto Parts/ Repair				
				29 SPRUCE ST				
25-00977	08/18/25 08/07/25	HOL08 HOLIDAY BOWL 1 REC TRIP JULY 17TH	1,407.00	T-13-56-370-952	Budget	Aprv	221	1
			1,407.00	Summer Rec Trip				

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PO #	Enc Date	Item	Description			Description				
25-00812	08/18/25 07/01/25	HOM02 1	HOME FIELD ADVANTAGE SPORTING LT BLUE T-SHIRTS FOR GATEKEEPR	154.00 <u>154.00</u>	219 WANAQUE AVE	T-13-56-370-650 StonyBrook Other	Budget	Aprv	121	1
25-00185	08/18/25 07/21/25	IDA01 9	I.D.A. *DENTAL*40/40/20-WIRED-AUG' 25	514.80 <u>514.80</u> <u>257.40</u> <u>1,287.00</u>	153 BAUER DRIVE	5-01-23-220-900 Group Health Insurance 5-09-55-507-900 ELECTRIC GROUP HEALTH INS 5-05-55-507-900 WATER GROUP HEALTH INSURANCE	Budget Budget Budget	Aprv	22	1 2 3
25-00185	08/18/25 08/13/25	IDA01 10	I.D.A. *DENTAL*wired 08/13/25	10,000.00 <u>10,000.00</u> <u>5,000.00</u> <u>25,000.00</u>	153 BAUER DRIVE	5-09-55-507-900 ELECTRIC GROUP HEALTH INS 5-01-23-220-900 Group Health Insurance 5-05-55-507-900 WATER GROUP HEALTH INSURANCE	Budget Budget Budget	Aprv	23	1 2 3
25-00626	08/18/25 05/15/25	IDE02 1	IDEMIA AND SECURITY USA LLC LIVE SCAN SYSTEM DESKTOP-PD	22,609.00 <u>22,609.00</u>	11951 FREEDOM DRIVE	C-04-55-530-101 ORD 2025-04 POL LIVE SCAN FINGERPRINT SY	Budget	Aprv	89	1
25-00924	08/18/25 07/29/25	JOHNSON 1	JEAN JOHNSON REIMB FOR 5 CERTIFIED COPIES	50.00 <u>50.00</u>	6212 CHELSEA CRES	5-01-20-120-550 CLERK Other Professional Fees	Budget	Aprv	176	1
25-00976	08/18/25 08/07/25	JOR01 1	JORDAN TRANSPORTATION BUSES FOR REC TRIPS	2,205.00 <u>2,205.00</u>	PO BOX 70002	T-13-56-370-952 Summer Rec Trip	Budget	Aprv	220	1
25-00058	08/18/25 07/30/25	KIN01 3	KINNELON BOROUGH 2025 QTRLY TAXES-3rd QTR	15,740.38 <u>15,740.38</u>	130 KINNELON ROAD	5-05-55-500-650 WATER ADMINISTR PROPERTY TAXES	Budget	Aprv	9	1
25-00569	08/18/25 05/06/25	LAN01 5	LANGUAGE LINE SERVICES TRANSLATION SRVCS #9020110053	383.40 <u>383.40</u>	P. O. BOX 202564	5-01-25-240-550 POLICE Other Professional Fees	Budget	Aprv	46	1
25-01022	08/18/25 08/18/25	LEE02 1	KEVIN LEE '25 EYE REIMB	400.00 <u>400.00</u>	33 WALNUT DRIVE	5-01-23-220-900 Group Health Insurance	Budget	Aprv	265	1

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25-01009	08/18/25	LEV04 JOSHUA LEVENDUSKY							
	08/14/25	1 breakfast reimbursement	40.30	5-09-55-501-250	Budget	Aprv	248	1	
				Electric Distribution Supplies					
			40.30						
25-00495	08/18/25	LONGOELE LONGO ELECTRICAL MECHANICAL		1 HARRY SHUPE BLVD.					
	04/21/25	1 BJM SK37C-208	5,346.15	C-04-55-212-550	Budget	Aprv	30	1	
				ORD:2021-12:IMPROV TO SEWER SYSTEM-FUND					
25-00495	08/05/25	2 FREIGHT	244.94	C-04-55-212-550	Budget	Aprv	31	1	
				ORD:2021-12:IMPROV TO SEWER SYSTEM-FUND					
			5,591.09						
25-00619	08/18/25	LOW04 LOWE'S		P. O. BOX 669821					
	05/13/25	10 MISC ITEMS VARIOUS	280.74	5-01-26-310-430	Budget	Aprv	86	1	
				B&G Facility Maint & Repairs					
25-00619	08/07/25	11 TOOLS FOR ELEC	2.45	5-09-55-501-275	Budget	Aprv	87	1	
				Electric Tools & Equipment					
25-00619	08/07/25	12 RDS ITEMS	174.40	5-01-26-290-430	Budget	Aprv	88	1	
				STREETS & ROADS Maintenance and Repairs					
			457.59						
25-00585	08/18/25	MAR02 MURPHY MCKEON, PC		901 ROUTE 23 SOUTH					
	05/09/25	17 AUGUST '25 RETAINER FEES	1,458.32	5-01-20-155-500	Budget	Aprv	60	1	
				LEGAL SERVICES					
25-00585	05/09/25	18 AUGUST '25 RETAINER FEES	1,875.01	5-09-55-500-500	Budget	Aprv	61	1	
				Electric Legal Fees					
25-00585	05/09/25	19 AUGUST '25 RETAINER FEES	833.34	5-05-55-500-500	Budget	Aprv	62	1	
				WATER ADMINISTR Legal Fees					
25-00585	05/09/25	20 LEGAL SERVICES	255.00	5-01-20-155-500	Budget	Aprv	63	1	
				LEGAL SERVICES					
			4,421.67						
25-00919	08/18/25	MAS07 DANIEL MASIN		81 BARTOLDI AVENUE					
	07/29/25	1 '25 food reimb for water brk	215.03	5-01-26-290-210	Budget	Aprv	170	1	
				STREETS & ROADS Food/Catering					
25-00938	08/04/25	1 '25 food reimbursement	49.35	5-01-26-290-210	Budget	Aprv	198	1	
				STREETS & ROADS Food/Catering					
			264.38						
25-00164	08/18/25	MCM03 M.C.MUNICIPAL JOINT INS. FUND		PO BOX 95000-2803					
	08/13/25	7 QTRLY '25 ASSMT ML/JIF LIAB	20,252.60	5-01-23-215-910	Budget	Aprv	10	1	
				MEL JIF Workers Comp					
25-00164	08/13/25	8 QTRLY '25 ASSMT ML/JIF LIAB	24,798.53	5-09-55-509-910	Budget	Aprv	11	1	
				ELECTRIC MEL JIF WORKERS COMP					
25-00164	08/13/25	9 QTRLY '25 ASSMT ML/JIF LIAB	12,687.62	5-05-55-509-510	Budget	Aprv	12	1	
				WATER WORKERS COMP					
25-00164	08/13/25	10 QTRLY '25 ASSMT ML/JIF LIAB	31,770.55	5-01-23-210-905	Budget	Aprv	13	1	
				MEL JIF Liability					
25-00164	08/13/25	11 QTRLY '25 ASSMT ML/JIF LIAB	35,814.80	5-09-55-508-905	Budget	Aprv	14	1	
				ELECTRIC MEL JIF LIABILITY					
25-00164	08/13/25	12 QTRLY '25 ASSMT ML/JIF LIAB	22,384.90	5-05-55-508-905	Budget	Aprv	15	1	

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25-00164	08/13/25	13 QTRLY '25 ASSMT ML/JIF LIAB	20,252.60	WATER MEL JIF LIABILITY 5-01-23-215-910	Budget	Aprv	16	1
25-00164	08/13/25	14 QTRLY '25 ASSMT ML/JIF LIAB	24,798.53	MEL JIF Workers Comp 5-09-55-509-910	Budget	Aprv	17	1
25-00164	08/13/25	15 QTRLY '25 ASSMT ML/JIF LIAB	12,687.62	ELECTRIC MEL JIF WORKERS COMP 5-05-55-509-510	Budget	Aprv	18	1
25-00164	08/13/25	16 QTRLY '25 ASSMT ML/JIF LIAB	31,770.55	WATER WORKERS COMP 5-01-23-210-905	Budget	Aprv	19	1
25-00164	08/13/25	17 QTRLY '25 ASSMT ML/JIF LIAB	35,814.80	MEL JIF Liability 5-09-55-508-905	Budget	Aprv	20	1
25-00164	08/13/25	18 QTRLY '25 ASSMT ML/JIF LIAB	22,384.90	ELECTRIC MEL JIF LIABILITY 5-05-55-508-905	Budget	Aprv	21	1
			<u>295,418.00</u>	WATER MEL JIF LIABILITY				
25-01006	08/18/25 08/13/25	MGL01 M G L PRINTING SOLUTIONS 1 CK UTILITY COLL CHECKS	140.00	154 SOUTH ST 5-05-55-500-201	Budget	Aprv	245	1
			<u>140.00</u>	WATER ADMINISTR Office Supplies				
25-00615	08/18/25 05/13/25	MOR04 MORRIS COUNTY MUNICIPAL 5 CONSUMPTION/TIPPING FEES-JULY	34,991.05	UTILITIES AUTHORITY 5-01-26-305-342	Budget	Aprv	81	1
			<u>34,991.05</u>	G&T GARBAGE TIPPING FEES				
25-00889	08/18/25 07/15/25	MOR24 MORRIS COUNTY ELEVATOR 1 ANNUALLY ELEVATOR SERVICE	2,904.00	227 ROUTE 206 STE 13 5-05-55-501-530	Budget	Aprv	143	1
			<u>2,904.00</u>	WATER OPER OPS PLANT PROFESSIONALS				
25-00538	08/18/25 05/02/25	MUN14 MUNICIPAL CAPITAL 5 CONTRACT #40064193-#53 OF 60	99.52	PO BOX 458 5-09-55-500-201	Budget	Aprv	36	1
25-00686	06/02/25	4 CONTRACT #40108342-PAYMENT #35	88.04	Electric Office Supplies 5-01-25-240-201	Budget	Aprv	105	1
			<u>187.56</u>	POLICE Office Supplies				
25-00613	08/18/25 05/13/25	NIS01 NISIVOCCIA & COMPANY LLP 5 PROFESSIONAL SRVC THROUGH 6/30	3,510.00	CERTIFIED PUBLIC ACCTS 5-09-55-500-505	Budget	Aprv	79	1
25-00613	05/13/25	6 PROFESSIONAL SRVC THROUGH 7/25	10,238.00	Electric Auditing Fees 5-09-55-500-505	Budget	Aprv	80	1
			<u>13,748.00</u>	Electric Auditing Fees				
25-00608	08/18/25 05/13/25	NIS02 NISC - NATIONAL INFORMATION 9 RECURRING JULY '25 SERVICES	10,415.74	SOLUTIONS COOPERATIVE 5-09-55-500-530	Budget	Aprv	75	1
25-00608	05/13/25	10 MISC JULY '25 SERVICES	4,714.42	Electric NISC MAINTENANCE 5-09-55-500-535	Budget	Aprv	76	1
			<u>15,130.16</u>	Electric NISC FEES				
	08/18/25	NJD01 NJ STATE DEPT OF HEALTH		VETERINARY PUBLIC HEALTH				



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25-00604	05/12/25	5 MTHLY DOG LICENSE REPORT-JULY	2.40	T-12-55-340-205	Budget	Aprv	74	1
			<u>2.40</u>	Due to State of NJ Dog Fees				
25-00906	07/22/25	1 2025-2026 LIQUOR LICENSE RENWL	33.00	BEVERAGE CONTROL	Budget	Aprv	161	1
			<u>33.00</u>	5-01-20-120-620 CLERK Professional Licences and Dues				
25-00736	06/09/25	1 DBL JCKT/RUBBER FOR FD	2,461.00	NEW JERSEY FIRE EQUIPMENT CO.	Budget	Aprv	110	1
				5-01-25-265-250 FIRE Other Supplies				
25-00909	07/22/25	1 HYDRO TEST OF SCBA CYL-FD	91.80	5-01-25-265-430	Budget	Aprv	165	1
			<u>2,552.80</u>	FIRE Maintenance and Repairs				
25-00545	05/05/25	5 REGULAR LOCATES-JULY'25 SRVC	330.60	7223 PARKWAY DRIVE	Budget	Aprv	39	1
			<u>330.60</u>	5-09-55-501-430 Electric Maintenance and Repairs				
25-00876	07/15/25	1 ANN'L FIRE EXT INSP-STNYBRK	71.00	5-01-26-310-430	Budget	Aprv	136	1
				B&G Facility Maint & Repairs				
25-00876	07/15/25	2 ANN'L FIRE EXT INSP-FH	212.95	5-01-26-310-430	Budget	Aprv	137	1
				B&G Facility Maint & Repairs				
25-00876	07/15/25	3 ANN'L FIRE EXT INSP-WATER FAC	341.25	5-01-26-310-430	Budget	Aprv	138	1
				B&G Facility Maint & Repairs				
25-00876	07/15/25	4 ANN'L FIRE EXT INSP-PD	310.13	5-01-26-310-430	Budget	Aprv	139	1
				B&G Facility Maint & Repairs				
25-00876	07/15/25	5 ANN'L FIRE EXT INSP-ELEC	783.48	5-09-55-501-430	Budget	Aprv	140	1
			<u>1,718.81</u>	Electric Maintenance and Repairs				
25-00915	07/29/25	1 WATER SAMPLING/TESTING	226.00	P.O. BOX 684056	Budget	Aprv	168	1
			<u>226.00</u>	5-05-55-501-560 WATER OPER OPS WATER SAMPLING/ TESTING				
25-00967	08/07/25	1 PAYTONS AUTOBODY LLC	2,370.38	111 MAIN STREET	Budget	Aprv	213	1
			<u>2,370.38</u>	5-09-55-501-430 Electric Maintenance and Repairs				
25-00761	06/19/25	1 Leave request forms	207.26	39 MAIN STREET	Budget	Aprv	111	1
			<u>207.26</u>	5-09-55-501-625 Electric Books and Periodicals				
25-00574	08/07/25	2 POSTAGE REFILL FEE-MAY-JULY	96.00	PO BOX 981039	Budget	Aprv	49	1
				5-09-55-500-430 Electric Maintenance and Repairs				

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PO #	Enc Date	Item Description			Description				
			96.00						
25-00214	08/18/25	PIT02 PITNEY BOWES RESERVE ACCOUNT		PO BOX 223648					
08/15/25	6	WIRED POSTAGE*****08/15/25	5,000.00	5-09-55-500-205	Budget	Aprv	24	1	
			750.00	Electric Postage & Phone	Budget			2	
			750.00	5-05-55-500-205	Budget			3	
			500.00	WATER ADMINISTR Postage & Phone	Budget			4	
			500.00	5-01-20-100-205	Budget			5	
				A&E Postage					
				5-01-42-750-200	Budget				
				BLOOMINGDALE WATER OE					
				5-01-42-905-200	Budget				
			7,500.00	RIVERDALE TAX COLLECTIONS OE					
25-00840	08/18/25	PJM02 PJM INTERCONNECTION, LLC		955 JEFFERSON AVE					
07/17/25	2	**WIRED**07-01 TO 07/09/25	120,918.63	5-09-55-504-200	Budget	Aprv	125	1	
25-00840	07/22/25	3 **WIRED**07-01 TO 07/16/25	117,085.77	Electric Purchased Power	Budget	Aprv	126	1	
25-00840	07/29/25	4 **WIRED**07-01 TO 07/23/25	104,886.03	5-09-55-504-200	Budget	Aprv	127	1	
25-00840	08/05/25	5 **WIRED**07-01 TO 07/30/25	218,364.09	Electric Purchased Power	Budget	Aprv	128	1	
25-00840	08/07/25	6 **WIRED**07-01 TO 07/31/25	121,612.34	5-09-55-504-200	Budget	Aprv	129	1	
25-01001	08/12/25	1 ***WIRED***BILLING-08/01-08/06	71,161.88	Electric Purchased Power	Budget	Aprv	241	1	
			754,028.74	5-09-55-504-200	Budget				
25-00528	08/18/25	PPC01 PPC LUBRICANTS, LLC		PO BOX 645962					
04/30/25	1	55 GALL SHELL ROTELLA T65W40	391.25	5-09-55-501-230	Budget	Aprv	32	1	
			391.25	Electric Auto Parts/ Repair	Budget			2	
			391.25	5-01-26-315-270	Budget			3	
			130.40	VEH MAINT. Police / Auto Parts	Budget			4	
			1,304.15	5-01-26-315-230	Budget				
25-00990	08/18/25	PRE13 PRECISION CHRY, JEEP, DODGE, RAM		1341 ROUTE 23 SOUTH					
08/08/25	1	NOZZLE WINDS/HOSE-FOR PD	74.48	5-09-55-501-230	Budget	Aprv	229	1	
25-00990	08/08/25	2 HOSE FOR PD #332	84.80	VEH MAINT. Police / Auto Parts	Budget	Aprv	230	1	
			159.28	5-01-26-315-270	Budget				
25-00687	08/18/25	PRU01 PRUDENTIAL GROUP LIFE		REF# 14714					
06/02/25	4	FIREMAN LIFE PREMIUMS-AUG'25	2,311.98	5-01-23-212-915	Budget	Aprv	106	1	
			2,311.98	Fireman's					

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PO #	Enc Date	Item	Description			Description				
25-00616	08/18/25 05/13/25	PUB02 5	PUBLIC POWER ASSOC OF NJ '25 PURCHASED POWER-JULY	40,300.58	5-09-55-504-200	Electric Purchased Power	Budget	Aprv	82	1
				<u>40,300.58</u>						
25-00617	08/18/25 05/13/25	PUB03 13	PSE&G CO MTHLY SRVCS FOR JULY '25	689.38	P O BOX 14444 5-01-31-446-330	Natural Gas	Budget	Aprv	83	1
25-00617	05/13/25	14	MTHLY SRVCS FOR JULY '25	180.35	5-09-55-500-325	Electric Natural Gas	Budget	Aprv	84	1
25-00617	05/13/25	15	MTHLY SRVCS FOR JULY '25	126.72	5-05-55-500-325	WATER ADMINISTR Fuel Oil	Budget	Aprv	85	1
				<u>996.45</u>						
25-00793	08/18/25 06/25/25	QUA08 1	QUALITY UPTIME SERVICES M&SERVICE CONTRACT RENWAL-PD	1,843.00	MCS OpCo, LLC 5-01-25-240-405	POLICE IT Contracts and Services	Budget	Aprv	114	1
				<u>1,843.00</u>						
25-00895	08/18/25 07/22/25	RER01 1	RER SUPPLY DISPOSAL CO-MINGLED-RDS-61490	798.00	5130 PARKWAY PLAZA 5-01-26-305-341	G&T RECYCLING/ YARD WASTE	Budget	Aprv	144	1
25-00895	07/22/25	2	DISPOSAL CO-MINGLED-RDS-61755	735.00	5-01-26-305-341	G&T RECYCLING/ YARD WASTE	Budget	Aprv	145	1
25-00937	08/04/25	1	disposal co-mingled-t#62759	693.00	5-01-26-305-341	G&T RECYCLING/ YARD WASTE	Budget	Aprv	195	1
25-00937	08/04/25	2	disposal co-mingled-t#62220	504.00	5-01-26-305-341	G&T RECYCLING/ YARD WASTE	Budget	Aprv	196	1
25-00937	08/05/25	3	disposal co-mingled-t#63262	735.00	5-01-26-305-341	G&T RECYCLING/ YARD WASTE	Budget	Aprv	197	1
				<u>3,465.00</u>						
25-00659	08/18/25 05/22/25	RIC01 4	JEFFREY W. RICKER PHONE ALLOWANCE-AUGUST '25	75.00	56 SPRING STREET 5-09-55-500-205	Electric Postage & Phone	Budget	Aprv	96	1
25-01008	08/14/25	1	reimbursement for truck reg.	60.00	5-09-55-501-250	Electric Distribution Supplies	Budget	Aprv	247	1
				<u>135.00</u>						
25-00964	08/18/25 08/05/25	RIC03 1	SCOTT T. RICKER '25 EYECARE REIMBURSEMENT	400.00	27 HASBROUCK AVE 5-01-23-220-900	Group Health Insurance	Budget	Aprv	211	1
				<u>400.00</u>						
25-00836	08/18/25 07/08/25	RIV01 1	RIVERDALE POWER MOWER, INC. SET/OIL/SAW CHAIN SHARPEN-ELEC	177.95	90 HAMBURG TPKE 5-09-55-501-430	Electric Maintenance and Repairs	Budget	Aprv	124	1
25-00986	08/08/25	1	BAR-CHAINS/OIL/ULTRA OIL-ELEC	174.75	5-09-55-501-430	Electric Maintenance and Repairs	Budget	Aprv	225	1
25-00986	08/08/25	2	TRIMMERLINE/PRO-ORANGE/BLK	279.80	5-01-26-290-430	STREETS & ROADS Maintenance and Repairs	Budget	Aprv	226	1

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			632.50					
25-00318	08/18/25 07/17/25	RIV03 RIVERDALE BOROUGH 3 '25 INTERLOCAL COURT-QTR 3	48,868.00	91 NEWARK POMPTON TPKE 5-01-42-920-200 RIVERDALE COURT INTERLOCAL	Budget	Aprv	28	1
			48,868.00					
25-00988	08/18/25 08/08/25	ROB10 ROBERTS & SON 1 RUBBER GROMM/FUSE/LED FLOOD LT	1,506.16	20 JEWELL STREET 5-09-55-501-230 Electric Auto Parts/ Repair	Budget	Aprv	228	1
			1,506.16					
25-00944	08/18/25 08/04/25	SC004 JOSEPH SCOGNAMIGLIO 1 '25 CLOTHING REIMBURSEMENT	126.65	5-01-26-290-635 STREETS & ROADS Uniform Reimbursements	Budget	Aprv	205	1
			126.65					
25-00660	08/18/25 05/22/25	SILVERSK SILVER SKY 10 MONTHLY SERVICING**July bill	1,274.82	BAE SYSTEMS, APPLIED INTELLIGE 5-01-25-240-405 POLICE IT Contracts and Services	Budget	Aprv	97	1
25-00660	05/22/25	11 MONTHLY SERVICING**July bill	1,147.34	5-09-55-500-675 Electric IT Contracts and Services	Budget	Aprv	98	1
25-00660	05/22/25	12 MONTHLY SERVICING**July bill	127.48	5-05-55-500-675 WATER ADMINSTR IT Contracts & Services	Budget	Aprv	99	1
			2,549.64					
25-00900	08/18/25 07/22/25	SMHEATIN SM HEATING AIR CONDITIONING 1 FAN MOTOR REPAIRS-ELEC	1,383.67	94 WANAQUE AVE 5-09-55-501-550 Electric Sub Station Maintenance	Budget	Aprv	151	1
25-00900	08/04/25	2 REFRIGERANT REPAIRS-MUSEUM	974.35	5-01-26-310-430 B&G Facility Maint & Repairs	Budget	Aprv	152	1
			2,358.02					
25-01016	08/18/25 08/14/25	SOK01 CYNTHIA SOKOLOFF 1 reimb for newspaper and cookie	95.85	5 HOLLY COURT 5-01-29-391-201 MUSEUM Office Supplies	Budget	Aprv	261	1
			95.85					
25-00933	08/18/25 08/04/25	SOU02 KEITH SOULES 1 NJMVC-REG RENEWAL REIMB-PD	76.50	10 SYCAMORE TRAIL 5-01-25-240-410 POLICE Automobiles	Budget	Aprv	193	1
			76.50					
25-00934	08/18/25 08/04/25	STA10 STATE TREASURER 1 CTC CERTIFICATE-LINDA DECUMBER	50.00	DIVISION OF LOCAL GOV SVC 5-01-20-145-610 TAX COLLECTOR Education and Training	Budget	Aprv	194	1
			50.00					
25-00631	08/18/25 05/15/25	STA35 STATE OF NEW JERSEY 13 HEALTH BENEFITS**WIRED***AUG	111,397.53	DIVISION OF PENSIONS & BENEFITS 5-01-23-220-900 Group Health Insurance	Budget	Aprv	90	1
25-00631	05/15/25	14 HEALTH BENEFITS**WIRED***AUG	108,101.56	5-09-55-507-900	Budget	Aprv	91	1

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25-00631	05/15/25	15 HEALTH BENEFITS**WIRED***AUG	15,325.29	ELECTRIC GROUP HEALTH INS 5-05-55-507-900	Budget	Aprv	92	1
			<u>234,824.38</u>	WATER GROUP HEALTH INSURANCE				
25-01019	08/18/25	STA40 STATE OF NEW JERSEY 1 ASSESSMENT AND RATE	912.64	DEPT. OF LABOR AND WORKFORCE 5-01-23-225-650	Budget	Aprv	263	1
			<u>912.64</u>	SUI Unemployment Insurance				
25-00983	08/18/25	STATEOF STATE OF NEW JERSEY 1 BASIC COURSE FOR POLICE OFFCR	500.00	DEPT OF LAW & PUBLIC SAFETY 5-01-25-240-535	Budget	Aprv	223	1
			<u>500.00</u>	POLICE Recruit Training				
25-00023	08/18/25	TAY02 TAYLOR OIL COMPANY 14 FUEL USAGE JULY ELEC-'25	3,238.44	PO BOX 974 5-09-55-500-315	Budget	Aprv	4	1
25-00023	08/07/25	15 FUEL USAGE JULY RDS/FD	1,079.48	Electric Gasoline & Diesel 5-01-31-460-315	Budget	Aprv	5	1
			<u>4,317.92</u>	Gasoline				
25-00808	08/18/25	TIG01 TIGRIS 5 MONITORING SEABERT LANE.	900.71	PO BOX 749738 5-05-55-501-570	Budget	Aprv	119	1
25-00808	07/01/25	6 MONITORING SEABERT LANE	900.71	WATER OPER OPS DEP COMPLIANCE 5-05-55-501-570	Budget	Aprv	120	1
			<u>1,801.42</u>	WATER OPER OPS DEP COMPLIANCE				
25-00877	08/18/25	TIL01 TILCON NEW YORK INC. 1 P.Lake Asphalt-#23813416	123.15	9 ENTIN ROAD 5-01-26-290-650	Budget	Aprv	141	1
25-00877	07/15/25	2 Liq Asp Adj-#238401054	2.17	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	142	1
25-00899	07/22/25	1 P. LAKES ASPHALT-#23813958	205.24	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	149	1
25-00899	07/22/25	2 LIQ ASP. ADJ-238401054	3.61	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	150	1
25-01011	08/14/25	1 P. Lk Asphalt #23816612	237.77	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	249	1
25-01011	08/14/25	2 liq asp adj-238401054	4.62	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	250	1
25-01011	08/14/25	3 liq asp adj-238401054	7.25	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	251	1
25-01011	08/14/25	4 P. Lk asphalt-23816209	93.71	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	252	1
25-01011	08/14/25	5 P. Lk asphalt-23816603	279.59	STREETS & ROADS Road Repair Materials 5-01-26-290-650	Budget	Aprv	253	1
			<u>957.11</u>	STREETS & ROADS Road Repair Materials				
25-00973	08/18/25	TRA03 TRAFFIC SAFETY & EQUIPMENT CO. 1 12x18 WHITE HIP ALUM SIGNS	245.00	457 ROUTE 17 5-02-55-710-001	Budget	Aprv	218	1

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			245.00	CLEAN COMMUNITIES				
25-01004	08/13/25	08/18/25 TRU04 TRU KLEEN LLC 1 DEGREASER/STEAM DUCT SYSTEM-FD	450.00	PO BOX 359 5-01-26-310-430 B&G Facility Maint & Repairs	Budget	Aprv	244	1
			450.00					
25-00799	06/27/25	08/18/25 TYN01 TYNDAL COMPANY, INC 1 MESH HIVIS VEST XLRG	385.50	5050 APPLEBUTTER RD 5-09-55-501-420 Electric Safety Equipment	Budget	Aprv	115	1
25-00799	08/07/25	2 MESH HIVIS VEST XLRG	618.00	5-09-55-501-420 Electric Safety Equipment	Budget	Aprv	116	1
25-00799	08/07/25	3 MESH HIVIS VEST LRG/XLG/3XLG	1,465.50	5-09-55-501-420 Electric Safety Equipment	Budget	Aprv	117	1
25-00799	08/07/25	4 MESH HIVIS VEST LRG/XLG/3XLG	1,080.00	5-09-55-501-420 Electric Safety Equipment	Budget	Aprv	118	1
25-00939	08/04/25	1 crhrtt t-shirt-jeans-Joe Roger	383.00	5-09-55-501-420 Electric Safety Equipment	Budget	Aprv	199	1
25-00939	08/05/25	2 ariat mens crew	83.50	5-09-55-501-420 Electric Safety Equipment	Budget	Aprv	200	1
25-00939	08/05/25	3 button down shirt-j. rogers	121.50	5-09-55-501-420 Electric Safety Equipment	Budget	Aprv	201	1
			4,137.00					
25-00576	05/08/25	08/18/25 UNI09 UNIVAR USA INC. 11 chlorine-July bill	660.00	62190 COLLECTIONS CENTER DRIVE 5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	50	1
25-00576	05/08/25	12 chlorine-July bill	1,184.40	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	51	1
25-00576	05/08/25	13 chlorine-Aug bill	660.00	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	52	1
25-00576	05/08/25	14 chlorine-Aug bill	789.60	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	53	1
25-00576	05/08/25	15 chlorine-Aug bill	660.00	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	54	1
25-00591	05/09/25	7 DELPAC	12,628.78	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	64	1
25-00591	05/09/25	8 Delpac-July bill	12,558.10	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	65	1
25-00591	05/09/25	9 Delpac-August bill	12,057.76	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	66	1
25-00790	08/01/25	3 CAUSTIC SODA NSF LIQ-53212223	1,243.52	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	113	1
25-00908	07/22/25	1 SOD HYPO -LIQUICHLOR	1,087.50	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	163	1
25-00908	08/15/25	2 SOD HYPO LIQUICHLOR	1,087.50	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	164	1
			44,617.16					
25-00667	05/27/25	08/18/25 VER02 VERIZON WIRELESS 4 BILLING PD-JULY BILL	210.58	PO BOX 408 5-09-55-500-205	Budget	Aprv	104	1

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25-00722	06/05/25	4 882505152-00001-JULY BILL	743.19	Electric Postage & Phone 5-09-55-500-205	Budget	Aprv	108	1
			953.77	Electric Postage & Phone				
25-00665	05/27/25	10 450-717-227-0001-83-JULY BILL	46.77	P.O. BOX 16801 5-05-55-500-205	Budget	Aprv	100	1
25-00665	05/27/25	11 450-717-227-0001-83-JULY BILL	124.69	WATER ADMINISTR Postage & Phone 5-01-31-440-300	Budget	Aprv	101	1
25-00665	05/27/25	12 450-717-227-0001-83-JULY BILL	140.30	Telephone 5-09-55-500-205	Budget	Aprv	102	1
25-00666	07/22/25	4 JULY BILL-250-717-044-0001-11	13.10	Electric Postage & Phone 5-09-55-500-205	Budget	Aprv	103	1
			324.86	Electric Postage & Phone				
25-00902	07/22/25	1 08/18/25 WAL03 WALLINGTON PLMG & HTG SPLY CO OVAL RUN CAPACITOR-ELEC	3.51	21 PASSAIC AVENUE 5-09-55-501-430	Budget	Aprv	153	1
			3.51	Electric Maintenance and Repairs				
25-00941	08/04/25	1 08/18/25 WAS03 WASH HOUNDS JUNE '25 SERVICES	63.07	1167 STATE RT 23 5-01-26-315-271	Budget	Aprv	202	1
25-00999	08/11/25	1 WASH SERVICES FOR PD-JULY	86.14	VEH MAINT. Police / Veh Maint & Repairs 5-01-26-315-270	Budget	Aprv	238	1
25-00999	08/11/25	2 WASH SERVICES FOR ELEC-JULY	40.00	VEH MAINT. Police / Auto Parts 5-09-55-501-230	Budget	Aprv	239	1
			189.21	Electric Auto Parts/ Repair				
25-00930	08/04/25	1 08/18/25 WAT01 CORE AND MAIN VALVE BOXE TOP SECTION	446.22	PO BOX 28330 5-05-55-501-650	Budget	Aprv	187	1
25-00930	08/04/25	2 CURB BOXES	1,081.92	WATER OPS DISTRIBUTION MAINT & REPAIRS 5-05-55-501-650	Budget	Aprv	188	1
25-00930	08/04/25	3 6" REPAIR COUPLING SB421	773.42	WATER OPS DISTRIBUTION MAINT & REPAIRS 5-05-55-501-435	Budget	Aprv	189	1
			2,301.56	EMERGENCY WATER MAIN REPAIR				
25-00969	08/07/25	1 08/18/25 WAY01 WAYNE ELECTRICAL SUPPLY CO. outlets for cameras	624.25	255 WEST PARKWAY 5-09-55-501-250	Budget	Aprv	215	1
			624.25	Electric Distribution Supplies				
25-00905	07/22/25	1 08/18/25 WEI09 WEINER LAW GROUP LLP DASKAL HOLDINGS-113/115 CAREY	204.00	ATTORNEYS AT LAW D-19-55-100-481	Budget	Aprv	155	1
25-00905	07/22/25	2 38 LINCOLN RD/38 LINCOLN RD	136.00	DAMJAN DASKALOSKI D-19-55-100-478	Budget	Aprv	156	1
25-00905	07/22/25	3 ANGRY OSTRICH-39 ELM STREET	340.00	38 LINCOLN ROAD, LLC D-19-55-100-461	Budget	Aprv	157	1
25-00905	07/22/25	4 PLANNING BD MEETING-11/14/24	160.00	ANGRY OSTRICH HOLDINGS, LLC 5-01-21-180-550	Budget	Aprv	158	1

August 18, 2025  
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BOROUGH OF BUTLER  
Check Payment Batch Verification Listing

Page No: 19

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description			Description				
25-00905	07/22/25	5 PLANNING BD MEETING-12/12/24	507.99	PB Other Professional Fees	5-01-21-180-550	Budget	Aprv	159	1
25-00905	07/22/25	6 PLANNING BD MEETING-04/17/25	408.00	PB Other Professional Fees	5-01-21-180-550	Budget	Aprv	160	1
			1,755.99	PB Other Professional Fees					

	<u>Count</u>	<u>Line Items</u>	<u>Amount</u>
Checks:	120	267	6,322,714.55

There are NO errors or warnings in this listing.



Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
ELECTRIC UTILITY OPERATING	4-09	39,900.00	0.00	0.00	39,900.00
CURRENT FUND	5-01	892,382.73	0.00	0.00	892,382.73
	5-02	245.00	0.00	0.00	245.00
FUND 05	5-05	287,198.26	0.00	0.00	287,198.26
ELECTRIC UTILITY OPERATING	5-09	<u>1,970,062.01</u>	<u>0.00</u>	<u>0.00</u>	<u>1,970,062.01</u>
Year Total:		3,149,888.00	0.00	0.00	3,149,888.00
GENERAL CAPITAL FUND	C-04	28,200.09	0.00	0.00	28,200.09
	D-19	680.00	0.00	0.00	680.00
	T-12	2.40	0.00	0.00	2.40
TRUST FUND	T-13	<u>3,766.00</u>	<u>0.00</u>	<u>0.00</u>	<u>3,766.00</u>
Year Total:		3,768.40	0.00	0.00	3,768.40
WATER UTILITY CAPITAL FUND	W-06	45,495.76	0.00	0.00	45,495.76
NON BUDGET SECTION	Z-01	1,712,033.74	0.00	0.00	1,712,033.74
	Z-04	1,342,739.99	0.00	0.00	1,342,739.99
FUND 05	Z-05	<u>8.57</u>	<u>0.00</u>	<u>0.00</u>	<u>8.57</u>
Year Total:		3,054,782.30	0.00	0.00	3,054,782.30
Total of All Funds:		<u>6,322,714.55</u>	<u>0.00</u>	<u>0.00</u>	<u>6,322,714.55</u>

G/L Posting Summary

Account	Description	Debits	Credits
5-01-101-01-002-020	Cash - Claims 7378002584	0.00	2,604,416.47
5-01-117-04-000-001	Gas-School & Triboro Receivabl	982.08	0.00
5-01-201-20-000-000	Current Appropriations	892,382.73	0.00
5-01-207-55-000-000	Local School Taxes Payable	<u>1,711,051.66</u>	<u>0.00</u>
	Totals for Fund 5-01 :	2,604,416.47	2,604,416.47
5-02-213-41-710-001	AP RES Clean Communities	245.00	0.00
5-02-260-05-000-020	DUE TO CLAIMS	<u>0.00</u>	<u>245.00</u>
	Totals for Fund 5-02 :	245.00	245.00
5-04-216-55-500-001	IMPROVEMENT AUTHORIZATIONS-FUNDED	28,200.09	0.00
5-04-219-55-000-000	BANS Payable	1,342,739.99	0.00
5-04-260-05-000-020	Due To Claims Account	<u>0.00</u>	<u>1,370,940.08</u>
	Totals for Fund 5-04 :	1,370,940.08	1,370,940.08
5-05-201-20-000-000	Water Utility Appropriations	287,198.26	0.00
5-05-205-55-000-002	Water Rent Overpayment Payable	8.57	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
5-05-260-05-000-020	Due To Claims Account		<u>0.00</u>	<u>287,206.83</u>	
	Totals for Fund 5-05 :		287,206.83	287,206.83	
5-06-216-55-500-001	IMPROVEMENT AUTHORIZATIONS-FUNDED		6,706.30	0.00	
5-06-216-55-500-002	IMPROVEMENT AUTHORIZATIONS-UNFUNDED		38,789.46	0.00	
5-06-260-05-000-020	DUE TO CLAIMS ACCOUNT		<u>0.00</u>	<u>45,495.76</u>	
	Totals for Fund 5-06 :		45,495.76	45,495.76	
5-09-201-20-000-000	Current Appropriations		1,970,062.01	0.00	
5-09-203-20-000-000	Approp Reserves Unencumbered		39,900.00	0.00	
5-09-260-05-000-020	Due To Claims Account		<u>0.00</u>	<u>2,009,962.01</u>	
	Totals for Fund 5-09 :		2,009,962.01	2,009,962.01	
5-12-260-05-000-001	Due To Current Fund		0.00	2.40	
5-12-290-56-000-001	Due to State of NJ Dog Fees		<u>2.40</u>	<u>0.00</u>	
	Totals for Fund 5-12 :		2.40	2.40	
5-20-260-05-000-020	Due To Claims		0.00	4,446.00	
5-20-286-56-850-815	Recreation Trust		3,766.00	0.00	
5-20-286-56-850-816	Developers Escrow		<u>680.00</u>	<u>0.00</u>	
	Totals for Fund 5-20 :		4,446.00	4,446.00	
	Grand Total:		<u>6,322,714.55</u>	<u>6,322,714.55</u>	

**BOROUGH OF BUTLER**

**ORDINANCE NO. 2025 - 09**

**AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER AMENDING THE BOROUGH OF BUTLER CODE OF ORDINANCES TO REPEAL ARTICLE 124; TO ADOPT A NEW ARTICLE 124; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of Borough of Butler and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the Borough of Butler was accepted for participation in the National Flood Insurance Program on October 15, 1985 and the Borough of Butler Mayor and Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, §§ 59, 60, 65 and 70 necessary for such participation; and

WHEREAS, the Borough of Butler is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the Borough of Butler is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the Borough of Butler is required, pursuant to N.J.S.A.58:16A-57, within 12

months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Butler, County of Morris, State of New Jersey, that the following floodplain management regulations are hereby adopted.

Section 1. Recitals. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. These regulations specifically repeal and replace the following ordinance(s) and regulation(s): Chapter 124.

## ARTICLE I

### SCOPE AND ADMINISTRATION

§124-1. Title. These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter "Uniform Construction Code," consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations of the Borough of Butler* (hereinafter "these regulations").

§124-2. Scope. These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Article II of these regulations.

§124-3. Purposes and objectives. The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- A. Protect human life and health.
- B. Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- C. Manage the alteration of natural floodplains, stream channels and shorelines;
- D. Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- E. Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- F. Contribute to improved construction techniques in the floodplain.

- G. Minimize damage to public and private facilities and utilities.
- H. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- I. Minimize the need for rescue and relief efforts associated with flooding.
- J. Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- K. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- L. Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, §59.22.

**§124-4. Coordination with Building Codes.** Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Borough of Butler administer and enforce the State building codes, the Mayor and Council of the Borough of Butler does hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

**§124-5. Ordinary Building Maintenance and Minor Work.** Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement §124-14 of this ordinance.

**§124-6. Warning.** The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

**§124-7. Other laws.** The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

**§124-8. Violations and Penalties for Noncompliance.** No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250, imprisonment for a term not exceeding ninety(90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the

condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30 day period, a fine greater than \$1250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance but shall be calculated separately from the fine imposed for the violation of the ordinance.

**§124-8.1 Solid Waste Disposal in a Flood Hazard Area.** Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

**§124-9. Abrogation and greater restrictions.** These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

## ARTICLE II

### APPLICABILITY

**§124-10. General.** These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

**§124-11. Establishment of Flood Hazard Areas.** The Borough of Butler was accepted for participation in the National Flood Insurance Program on October 15, 1985.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the office of the Floodplain Administrator located at the Borough of Butler municipal building at One Ace Road, Butler, New

Jersey 07405.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

**A. Effective Flood Insurance Studies.**

1. Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study for Morris County, New Jersey (All Jurisdictions), Community No. 340337 dated August 19, 2025 and an accompanying Flood Insurance Rate Map (FIRM) identified as 34027C0177F whose top level document (appendix map) effective date is August 19, 2025, are hereby adopted by reference.
2. Special flood hazard areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled Flood Insurance Study, Borough of Butler, Morris County, New Jersey, Community Number 340337, Product ID 340337V000, dated October 16, 1985, and the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map identified in Table 102.2(1) whose effective date is August 19, 2025, are hereby adopted by reference.

Table 102.2(1)

Map Panel No.	Effective Date	Suffix	Type
340337 0001	8-19-2025	B	Flood Insurance Rate Map
<u>340337 0001</u>	<u>8-19-2025</u>		<u>Flood Boundary and Floodway Map</u>

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**B. Federal Best Available Information.** Borough of Butler shall utilize Federal flood information that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA's Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 102.2(2)

Map Panel No.	Preliminary Date		
34027C0063F	2-26-2016		
34027C0064F	2-26-2016		
34027C0176F	2-26-2016		
34027C0177F	2-26-2016		

C. **Other Best Available Data.** Borough of Butler shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Borough of Butler. Other "best available information" may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than described in § 124-11(1) and (2), above. This information shall be used for floodplain regulation purposes only.

D. **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the "Flood Hazard Area Control Act Design Flood Elevation", as defined in § 251, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 104-12(2) List of State Studied Waters					
Name of Studied Water Body			§ Studied		
File Name	Structure	Project	Sheet No.	Image Type	
BDALE009p	Pequanock River - UNT	Bloomingdale	03p	Profile	
BDALE010p	Pequanock River	Bloomingdale	04p	Profile	
BDALE011p	Pequanock River	Bloomingdale	05p	Profile	
BDALE018p	Oakwood Lake Brook	Bloomingdale	12pr	Profile	
G0000072p	Stone House Brook	G	07PR	Profile	
G0000073p	Stone House Brook	G	06P	Profile	
G0000074p	Stone House Brook	G	05P	Profile	
G0000075p	Pequanock River	G	04P	Profile	
G0000076p	Pequanock River	G	03P	Profile	
G0000077p	Pequanock River	G	02PR	Profile	
G0000078p	Pequanock River	G	01P	Profile	
G0000096p	Pequanock River	G	05P	Profile	
G0000097p	Pequanock River	G	04P	Profile	
G0000093p	Pequanock River	G	03P	Profile	
G0000099p	Pequanock River	G	02P	Profile	
J0000083p	Pequanock River	J	42	Profile	

#### §124-12. Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in §



124-1, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- A. For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in § 124-11, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- B. For any undelineated watercourse (where mapping or studies described in 124-11(A) and (B) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:
  - 1. A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
  - 2. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to § 124-34C
- C. AO Zones – For Zone AO areas on the municipality's FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- D. Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.

### ARTICLE III

#### DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

**§124-13. Floodplain Administrator Designation.** The Borough Engineer is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

**§124-14. General.** The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to § 1 of these regulations.

**§124-15. Coordination.** The Floodplain Administrator shall coordinate with the Construction

Official to administer and enforce the flood provisions of the Uniform Construction Code.

**§124-16, Duties.** The duties of the Floodplain Administrator shall include but are not limited to:

- A. Review all permit applications to determine whether proposed development is located in flood hazard areas established in Chapter II of these regulations.
- B. Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- C. Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- D. Determine whether additional flood hazard data shall be obtained or developed.
- E. Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- F. Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to § 103.14 of these regulations.
- G. Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- H. Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction Code to determine whether such requests require consideration as a variance pursuant to Chapter VII of these regulations.
- I. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA, the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- J. Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- K. Inspect development in accordance with § Chapter VI of these regulations and inspect flood hazard areas to determine if development is undertaken without issuance of permits.
- L. Prepare comments and recommendations for consideration when applicants seek variances in accordance with Chapter VII of these regulations.
- M. Cite violations in accordance with Chapter VIII of these regulations.
- N. Notify the Federal Emergency Management Agency when the corporate boundaries of Borough of Butler have been modified.

O. Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in §124-11

**§124-17. Use of changed technical data.** The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

**§124-18. Other permits.** It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including § 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

**§124-19. Determination of Local Design Flood Elevations.** If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- A. Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- B. Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in §124-11 and §124-12 respectively. This information shall be provided to the Construction Official and documented according to §124-27.

**§124-20. Requirement to submit new technical data.** Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations § 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

**§124-21. Activities in riverine flood hazard areas.** In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the

proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

**§124-22. Floodway encroachment.** Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

**§124-22.1. Floodway revisions.** A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

**§124-23. Watercourse alteration.** Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

**§124-23.1. Engineering analysis.** The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

**§124-24. Development in riparian zones** All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:2B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

**§124-25. Substantial improvement and substantial damage determinations.** When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- A. Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.

- B. Determine and include the costs of all ordinary maintenance and minor work, as discussed in §124-5, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- C. Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- D. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.
- E. Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant in writing when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

**§124-26. Department records.** In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

**§124-27. Liability.** The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

#### ARTICLE IV

## PERMITS

**§124-28. Permits Required.** Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

**§124-29. Application for permit.** The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- A. Identify and describe the development to be covered by the permit.
- B. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- C. Indicate the use and occupancy for which the proposed development is intended.
- D. Be accompanied by a site plan and construction documents as specified in Chapter V of these regulations, grading and filling plans and other information deemed appropriate by the Floodplain Administrator.
- E. State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.
- F. Be signed by the applicant or the applicant's authorized agent.

**§124-30. Validity of permit.** The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

**§124-31. Expiration.** A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

**§124-32. Suspension or revocation.** The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

## ARTICLE V

### SITE PLANS AND CONSTRUCTION DOCUMENTS

**§124-33. Information for development in flood hazard areas.** The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- A. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- B. Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with §124-34
- C. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with §124-34 of these regulations.
- D. Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
- E. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- F. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.
- G. Extent of any proposed alteration of sand dunes.
- H. Existing and proposed alignment of any proposed alteration of a watercourse.
- I. Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

**§124-34. Information in flood hazard areas without base flood elevations (approximate Zone A).** Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

- A. Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- B. Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.
- C. Determine the base flood elevation in accordance with accepted hydrologic and hydraulic

engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

**§124-35. Analyses and certifications by a Licensed Professional Engineer.** As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this §, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- A. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in § of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- B. For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- C. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in §124-36 of these regulations. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- D. For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

**§124-36. Submission of additional data.** When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.



## ARTICLE VI

### INSPECTIONS

**§124-37. General.** Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

**§124-38. Inspections of development.** The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

**§124-39. Buildings and structures.** The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- A. **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in §124-74 shall be submitted to the Construction Official on an Elevation Certificate.
- B. **Lowest horizontal structural member.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in §124-74 shall be submitted to the Construction Official on an Elevation Certificate.
- C. **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in §124-74.
- D. **Final inspection.** Prior to the final inspection, certification of the elevation required in §124-74 shall be submitted to the Construction Official on an Elevation Certificate.

**§124-40. Manufactured homes.** The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

## ARTICLE VII

### VARIANCES

**§124-41. General.** The Butler Planning Board shall hear and decide requests for variances. The Butler Planning Board shall base its determination on technical justifications submitted by applicants, the considerations for issuance in §124-45, the conditions of issuance set forth in §124-46, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Butler Planning Board has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

**§124-42. Historic structures.** A variance to the substantial improvement requirements of this

ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, §1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

**§124-43. Functionally dependent uses.** A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

**§124-44. Restrictions in floodways.** A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in §124-34A of these regulations.

**§124-45. Considerations.** In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- A. The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- B. The danger to life and property due to flooding or erosion damage.
- C. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- D. The importance of the services provided by the proposed development to the community.
- E. The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- F. The compatibility of the proposed development with existing and anticipated development.
- G. The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- H. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- I. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- J. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

**§124-46. Conditions for issuance.** Variances shall only be issued upon:

- A. Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code

Inappropriate.

- B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- D. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- E. Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

## ARTICLE VIII

### VIOLATIONS

**§124-47. Violations.** Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

**§124-48. Authority.** The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

**§124-49. Unlawful continuance.** Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

**§124-50. Review Period to Correct Violations.** A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

## ARTICLE IX

### DEFINITIONS

**§124-51. General.** The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined,

such terms shall have ordinarily accepted meanings such as the context implies.

#### §124-52. Definitions.

**30 DAY PERIOD** – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

**100 YEAR FLOOD ELEVATION** – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

**500 YEAR FLOOD ELEVATION** – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

**A ZONES** – Areas of Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

**AH ZONES** – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

**AO ZONES** – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

**ACCESSORY STRUCTURE** – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

**AGRICULTURAL STRUCTURE** – A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

**AREA OF SHALLOW FLOODING** – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of

flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. AREA OF SPECIAL FLOOD HAZARD – see SPECIAL FLOOD HAZARD AREA

ALTERATION OF A WATERCOURSE – A. dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the "100-year flood elevation".

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

**BUILDING** – Per the FHACA, "Building" means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

**CONDITIONAL LETTER OF MAP REVISION** - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

**CONDITIONAL LETTER OF MAP REVISION - FILL** -- A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

**CRITICAL BUILDING** – Per the FHACA, "Critical Building" means that:

- A. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- B. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

**DEVELOPMENT** – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

**DRY FLOODPROOFING** – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

**ELEVATED BUILDING** – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE

## Zones.

**ELEVATION CERTIFICATE** – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

**ENCROACHMENT** – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

**FEMA PUBLICATIONS** – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

## FLOOD OR FLOODING

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

**FLOOD HAZARD AREA DESIGN FLOOD ELEVATION** – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

**FLOOD INSURANCE RATE MAP (FIRM)** – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and

the water surface elevation of the base flood.

**FLOODPLAIN OR FLOOD PRONE AREA** – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

**FLOODPLAIN MANAGEMENT REGULATIONS** – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING** – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

**FLOODPROOFING CERTIFICATE** -- Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

**FLOODWAY** – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

**FREEBOARD** – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**FUNCTIONALLY DEPENDENT USE** – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

**HABITABLE BUILDING**— Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

**HARDSHIP** – As related to § 107 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Butler Planning Board requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical



handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

**HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

**HISTORIC STRUCTURE** – Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - 1. By an approved State program as determined by the Secretary of the Interior; or
  - 2. Directly by the Secretary of the Interior in States without approved programs.

**LAWFULLY EXISTING** – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- A. Prior to January 31, 1980; or
- B. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered "lawfully existing" for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

**LETTER OF MAP AMENDMENT** - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

**LETTER OF MAP CHANGE** – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on a Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map

Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

**LETTER OF MAP REVISION** - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

**LETTER OF MAP REVISION - FILL** - A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

**LICENSED DESIGN PROFESSIONAL** - Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

**LICENSED PROFESSIONAL ENGINEER** - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

**LOCAL DESIGN FLOOD ELEVATION (LDFE)** - The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

**LOWEST ADJACENT GRADE** - The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

**LOWEST FLOOR** - In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

**MANUFACTURED HOME** – A structure that is transportable in one or more §§, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

**MANUFACTURED HOME PARK OR SUBDIVISION** – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MARKET VALUE** – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the tax assessor's office, or (3) established by a qualified independent appraiser.

**NEW CONSTRUCTION** – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

**NON-RESIDENTIAL** – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

**ORDINARY MAINTENANCE AND MINOR WORK** – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment; exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

**RECREATIONAL VEHICLE** – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

**RESIDENTIAL** – Pursuant to the ASCE 24:

- A. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- B. Structures including but not limited to one- and two-family dwellings, townhouses,

condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and

- C. Institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

**SOLID WASTE DISPOSAL** -- "Solid Waste Disposal" shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

**SPECIAL FLOOD HAZARD AREA** -- The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

**START OF CONSTRUCTION** -- The Start of Construction is as follows:

For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA), this is the date the building permit was issued; provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

**STRUCTURE** – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

**SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

**UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES** – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

**VARIANCE** – A grant of relief from the requirements of this § which permits construction in a manner otherwise prohibited by this § where specific enforcement would result in unnecessary hardship.

**VIOLATION** – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

**WATERCOURSE**. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

**WET FLOODPROOFING** – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to

enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

## ARTICLE X

### SUBDIVISIONS AND OTHER DEVELOPMENTS

**§124-53. General.** Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- A. All such proposals are consistent with the need to minimize flood damage.
- B. All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

**§124-54. Subdivision requirements.** Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- A. The flood hazard area, including floodways and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- B. Residential building lots shall be provided with adequate buildable area outside the floodway.
- C. The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

## ARTICLE XI

### SITE IMPROVEMENT

**§124-55. Encroachment in floodways.** Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with § 105.3(1) of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If § 105.3(1) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with § 801.2 of this ordinance and the floodway requirements of N.J.A.C. 7:13.

**§124-55.1. Prohibited in floodways.** The following are prohibited activities:

- A. The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- B. Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

**§124-56. Sewer facilities.** All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Article 7, ASCE 24, to

minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

**§124-57. Water facilities.** All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Article 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

**§124-58. Storm drainage.** Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

**§124-59. Streets and sidewalks.** Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

**§124-60. Limitations on placement of fill.** Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

**§124-61. Hazardous Materials.** The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

## ARTICLE XII

### MANUFACTURED HOMES

**§124-62. General.** All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

**§124-63. Elevation.** All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in §124-74.

**§124-64. Foundations.** All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on foundations as specified by the manufacturer only if the manufacturer's installation instructions specify that the home has been designed for flood-resistant considerations and provides the conditions of applicability for velocities, depths, or wave action as required by 24 CFR Part 3285-302. The Floodplain Administrator is authorized to determine whether the design meets or exceeds the performance necessary based upon the proposed site location conditions as a precondition of issuing a flood damage prevention permit. If the Floodplain Administrator determines that the home's performance standards will not withstand the flood loads in the proposed location, the applicant must propose a design certified by a New Jersey licensed design professional and in accordance with 24 CFR 3285.301 (c) and (d) which conforms with ASCE 24, the accepted standard of engineering practice for flood resistant design and construction.

**§124-65. Anchoring.** All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation

system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

**§124-66. Enclosures.** Fully enclosed areas below elevated manufactured homes shall comply with the requirements of §

**§124-67. Protection of mechanical equipment and outside appliances.** Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in § 801.2 of these regulations.

**Exception.** Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by §124.74, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

#### ARTICLE XIII

##### RECREATIONAL VEHICLES

**§124-68. Placement prohibited.** The placement of recreational vehicles shall not be authorized in floodways.

**§124-69. Temporary placement.** Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

**§124-70. Permanent placement.** Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of §124.74 for habitable buildings and §124-35.

#### ARTICLE XIV

##### TANKS

**§124-71. Tanks.** Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

#### ARTICLE XV

##### OTHER DEVELOPMENT AND BUILDING WORK

**§124-72. General requirements for other development and building work.** All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- A. Be located and constructed to minimize flood damage;
- B. Meet the limitations of §124-35(A) of this ordinance when located in a regulated floodway;
- C. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and



hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to §124-12;

- D. Be constructed of flood damage-resistant materials as described in ASCE 24 Article 5;
- E. Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to § 102.3 or meet the requirements of ASCE 24 Article 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
  - 1. Specifically allowed below the Local Design Flood Elevation; and
  - 2. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
- F. Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- G. Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

#### **§124.73. Requirements for Habitable Buildings and Structures.**

##### **A. Construction and Elevation in A Zones.**

- 1. All new construction and substantial improvement of any habitable building (as defined in §201) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in §124-12, be in conformance with ASCE Article 7, and be confirmed by an Elevation Certificate.
- 2. All new construction and substantial improvements of non-residential structures shall:
  - a. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in §124-12, be in conformance with ASCE Article 7, and be confirmed by an Elevation Certificate; or
  - b. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
    - i. Meets the requirements of ASCE 24 Articles 2 and 7; and
    - ii. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
- 3. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
  - a. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area

in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;

- b. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of §124-74 are met;
- c. Be constructed to meet the requirements of ASCE 24 Article 2;
- d. Have openings documented on an Elevation Certificate; and
- e. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
  - i. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
  - ii. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
  - iii. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

**§124-74. Garages and accessory storage structures.** Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

**§124-75. Fences.** Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of §124-35() of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this Section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Article VII of this ordinance.

**§124-76. Retaining walls, sidewalks, and driveways.** Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of §124-35(A) of these regulations and N.J.A.C. 7:13.

**§124-77. Swimming pools.** Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of §124-35(A) of these regulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

**§124-78. Roads and watercourse crossings.**

- A. For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- B. Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of § 124-35(A) of these regulations.

**ARTICLE XVI**

**TEMPORARY STRUCTURES AND TEMPORARY STORAGE**

**§124-79. Temporary structures.** Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

**§124-80. Temporary storage.** Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

**§124-81. Floodway encroachment.** Temporary structures and temporary storage in floodways shall meet the requirements of §124-35(A) of these regulations.

**ARTICLE XVII**

**UTILITY AND MISCELLANEOUS GROUP U**

**§124-82. Utility and Miscellaneous Group U.** In accordance with §312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

**§124-83. Flood loads.** Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in §124-12.

**§124-84. Elevation.** Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in § 124-12 and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

**§124-85. Enclosures below base flood elevation.** Fully enclosed areas below the design flood elevation shall be constructed in accordance with §124-74 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

**§124-86. Flood-damage resistant materials.** Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in §124-12.

**§124-87. Protection of mechanical, plumbing, and electrical systems.** Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in §124-12.

**Exception:** Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

**Section 2.** If any Section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other §§ or provisions of this Ordinance, except so far as the Section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect on August 19, 2025

Adopted this 18<sup>th</sup> day of  
August, 2025.

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Brandi Greco, Borough Clerk

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Ryan Martinez, Mayor

BOROUGH OF BUTLER  
RESOLUTION NO. R 2025-112

**RESOLUTION AUTHORIZING THE PURCHASE OF A DUMP TRUCK**

**WHEREAS**, the Borough of Butler's Electric Department needs a new dump truck; and

**WHEREAS**, Nielsen of Morristown has provided a quote for a new dump truck at a total cost of \$109,548.55; and

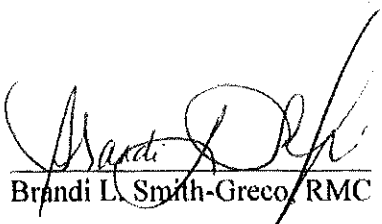
**WHEREAS**, the above-referenced purchase is available through the Educational Services Commission of New Jersey (ESCNJ) Cooperative Pricing System, Contract #23/24-04, which the Borough of Butler is a registered member of and is therefore authorized to utilize in accordance with N.J.S.A. 40A:11-11; and

**WHEREAS**, the Borough Chief Financial Officer has certified that funds are available for this purchase using 2025 electric capital account #E-08-55-530-301;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Butler, County of Morris, State of New Jersey, that:

1. The Borough of Butler hereby authorizes the award of a contract to Nielsen of Morristown, 200 Ridgedale Ave, Morristown, NJ 07960, for a dump truck for \$109,548.55.
2. The Mayor and/or Borough Administrator and Borough Clerk are authorized to execute all necessary documents to effectuate the contract.

Adopted: August 18, 2025

  
Brandi L. Smith-Greco, RMC

  
Ryan Martinez, Mayor

Dated: August 18, 2025

BOROUGH OF BUTLER  
RESOLUTION NO. R 2025-113

**RESOLUTION AUTHORIZING THE PURCHASE OF A WOOD CHIPPER**

**WHEREAS**, the Borough of Butler's Electric Department needs a new wood and brush chipper;  
and

**WHEREAS**, Modern Group, LTD. of Bristol, PA has submitted Quotation #181691, dated April 24, 2025, for the purchase of an Intimidator 18XP (18" Drum Style), at a total cost of \$87,764.50; and


**WHEREAS**, the above-referenced purchase is available through the Educational Services Commission of New Jersey (ESCNJ) Cooperative Pricing System, Contract #22/23-12, which the Borough of Butler is a registered member of and is therefore authorized to utilize in accordance with N.J.S.A. 40A:11-11; and

**WHEREAS**, the Borough Chief Financial Officer has certified that funds are available for this purchase using 2025 electric capital account #E-08-55-530-201;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Butler, County of Morris, State of New Jersey, that:

1. The Borough of Butler hereby authorizes the award of a contract to Modern Group LTD, 2501 Durham Road, Bristol, PA 19007, for a wood and brush chipper for \$87,764.50
2. The Mayor and/or Borough Administrator and Borough Clerk are authorized to execute all necessary documents to effectuate the contract.

Adopted: August 18, 2025

  
Brandi L. Smith-Greco, RMC

  
Ryan Martinez, Mayor

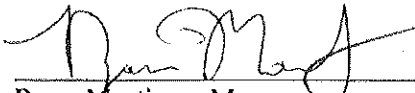
Dated: August 18, 2025

**BOROUGH OF BUTLER  
RESOLUTION NO. 2025-116**

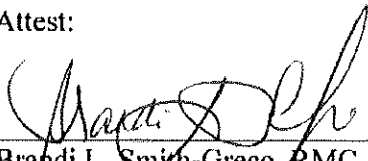
**AUTHORIZE ADVERTISEMENT AND RECEIPT OF BIDS FOR  
ROAD IMPROVEMENTS AT HILLCREST AVENUE**

BE IT RESOLVED, that the Mayor and Council of the Borough of Butler hereby authorize the advertisement and receipt of bids for road improvements on Hillcrest Avenue.

Approved: August 18, 2025

  
\_\_\_\_\_  
Ryan Martinez, Mayor

Attest:

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

**BOROUGH OF BUTLER  
RESOLUTION 2025-117**

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE  
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the **Borough of Butler** is a member of the Morris County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2025 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The **Borough of Butler** agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall he and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

This Resolution agreed to this 18<sup>th</sup> day of August, 2024 by a vote of:

Affirmative: 4

Negative: 0

  
MAYOR

8/18/25  
DATE

  
ATTEST

BRANDI L SMITH-GRECO, PMC

MORRIS COUNTY MUNICIPAL  
JOINT INSURANCE FUND



**BOROUGH OF BUTLER  
RESOLUTION NO. 2025-118**

**RESOLUTION OF BOROUGH OF BUTLER MAKING APPLICATION TO THE  
LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 58:26-19**

**WHEREAS,** The Borough of Butler desires to make application to the Local Finance Board for its review and/or approval of a contract authorizing the Rehabilitation and Management of Water Tanks with USG Water Solutions;

**WHEREAS,** The Borough of Butler believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

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

Section 1. The application to the Local Finance Board is hereby approved, and the Borough of Butler Bond Counsel and financial advisor, along with other representatives of the Borough of Butler, are hereby authorized to prepare such application and to represent the Borough of Butler in matters pertaining thereto.

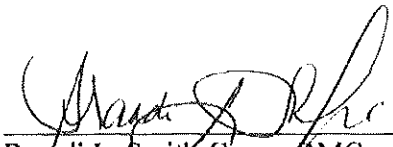
Section 2. Clerk of the Borough of Butler is hereby directed to prepare and file a copy of the proposed Rehabilitation and Management of Water Tanks contract with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

The foregoing is a true copy of a resolution adopted by the governing body of the Borough of Butler on August 18th, 2025

  
\_\_\_\_\_  
Ryan Martinez, Mayor

Attest:

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

BOROUGH OF BUTLER  
RESOLUTION NO. 2025-119  
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 18th day of August, 2025, 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.
- (X) B. (4) A collective bargaining agreement including negotiations.
- (X) 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.
- ( ) 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).

Date: August 18, 2025

Moved: Verdonik

Second: Orcutt

Roll Call: Guzman, Orcutt, Piccinillo, Verdonik Absent: Calvi, Meier

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

Ryan Martinez  
Ryan Martinez, Mayor

BOROUGH OF BUTLER  
RESOLUTION NO. 2025-120

RESOLUTION AUTHORIZING REFUND OF MUNICIPAL PORTION OF HANDGUN  
CARRY PERMIT FEE UPON SUBMISSION OF RECEIPT

WHEREAS, pursuant to N.J.S.A. 2C:58-4, applicants for permits to carry a handgun are required to pay an application fee in the amount of \$200, of which \$150 is retained by the municipality and \$50 is forwarded to the Superintendent of State Police; and

WHEREAS, the Borough of Butler recognizes that the statutory fee structure imposes financial burdens on applicants and wishes to ease that burden for residents by offering refunds of the Borough's retained portion of the application fee; and

WHEREAS, the Borough has determined that it is in the public interest to establish an administrative process for refunding the \$150 municipal share of the application fee upon appropriate documentation;

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

**Refund Authorization:** Any applicant who has paid the \$200 application fee for a handgun carry permit on or after January 1, 2025, and who submits a valid receipt showing payment may apply to the Borough's Chief Financial Officer (CFO) for a refund of \$150, representing the portion of the fee retained by the Borough under N.J.S.A. 2C:58-4.

**Procedure:** Refunds shall be issued upon the applicant's submission to the CFO of (a) proof of payment, and (b) confirmation that the application was processed through the Borough of Butler.


**Limitation:** This refund policy applies only to the municipal portion of the fee and does not apply to any amounts remitted to the State of New Jersey or other agencies. Refunds shall be available only for payments made on or after January 1, 2025.

**Effective Date:** This resolution shall take effect immediately upon adoption.

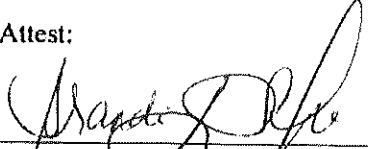
**Administrative Oversight:** The Borough CFO is hereby authorized to administer this refund program and to require any reasonable documentation necessary to confirm eligibility.

BE IT FURTHER RESOLVED that a copy of this resolution shall be made available to the public and posted on the Borough website for informational purposes.

Approved: August 18, 2025

  
Ryan Martinez, Mayor

Attest:

  
Brandi L. Smith-Greco, RMC