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REORGANIZATION MEETING  
JANUARY 6, 2015  
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The Council Meeting was opened by M. O'Keefe, Borough Clerk 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. This was followed by the Pledge of Allegiance and a Moment of Reflection.

#### OATH OF OFFICE

Mayor Robert W. Alviene

Mayor Alviene's Grandson Aaron held the Bible while Ms. O'Keefe administered the Oath of Office to Mayor Alviene.

Councilman Sean McNear – Ms. O'Keefe administered the Oath of Office to Councilman McNear

Councilman Raymond A. Verdonik – Councilman Verdonik's daughter Amy held the Bible while Ms. O'Keefe administered the Oath of Office to her father.

Mayor Alviene thanked the members of his family in attendance tonight for their support tonight and throughout the year.

#### ROLL CALL

PRESENT: Mayor Robert W. Alviene, Councilman Robert Fox, Councilman Sean McNear, Councilman Stephen Regis and Councilman Edwin Vath and Councilman Raymond Verdonik.

ABSENT: Councilman Robert Meier

Mayor Alviene noted the dignitaries in attendance State Senator Pennacchio, Assemblyman Jay Webber, County Clerk Ann F. Grossi, Freeholders Cesaro, Krickus, and Lyon. He thanked them all for coming out this evening. He welcomes the support of the town that reelected him to a second term and he will continue to serve the residents of the Borough to the best of his ability; he feels the Borough runs well, although there are ups and down as in any town, for the most part we are on an even keel. The right thing is done for the majority of the people and he feels that it is the job of the Borough Council and himself. In closing, he would like to thank the members of the Butler Fire Department in attendance for their hard work through the year.

#### ELECTION OF COUNCIL PRESIDENT

Councilman Fox nominated Councilman Vath, second by Councilman Verdonik

Voted Aye: Fox, McNear, Regis and Verdonik

Voted Nay: None

Absent: Meier

Abstain: Vath

Council President Vath thanked everyone for his or her support in electing him Council President; he looks forward to another year as President.

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Address by Council Members:

Councilman Verdonik expressed his thanks for the support that he received; he is looking forward to the next three years, although there are always challenges he looks forward to continuing to work with the rest of the Council to resolve issues as they arise.

Councilman McNear thanked everyone for their support noting that the Council is always willing to listen to the Public, so he encourages people to attend the meetings and express their concerns. He looks forward to the next three years working with the Mayor and fellow Council members.

#### APPOINTMENTS

Borough Attorney	One year	Robert H. Oostdyk, Jr.
Borough Engineer	One year	Paul Darmofalski
Borough Auditor	One year	David Evans & Raymond Nisivoccia of Nisivoccia & Co.
Tax Search Officer	One year	Cora Ashley
Municipal Prosecutor	One year	Edward Azar
Alt. Prosecutor	One year	Nicholas Galante
Public Defender	One year	Joseph A. Affinito
Deputy Court Adm.	One year	Shelly Gallagher & Karen Black
Violations Clerk	One year	Mary O'Keefe and Pamela Krattiger
Assessment Search Officer	One year	Mary O'Keefe
Police Matron	One year	Leslie Usinowicz, Linda Daly, and Joyce Opperlee
Americans with Disabilities Act Compliance Committee	Three year	Karen Becker

Mayor Alviene asked that the Officers and Fire Police of the Butler Fire Department in attendance please come forward so they may take their oath of office at this time.

BUTLER FIRE DEPARTMENT CHIEF – Unexpired Term – Jim Neill

#### **Company Chiefs (in Alphabetical Order)**

Christopher Finelli  
John Futcher, Jr.  
Jim Neill  
Phil Soules

Butler Fire Department Officers:

#### **Kinney Hose Company No. 1**

Captain Al Marion  
1<sup>st</sup> Lieutenant John Elsea  
2<sup>nd</sup> Lieutenant Steven DePascale

#### **Bartholdi Hose Company No. 2**

Captain Joe Herrman  
1<sup>st</sup> Lieutenant Steve Wikfors  
2<sup>nd</sup> Lieutenant John Trentacoste

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**Kiel Hook and Ladder Company No. 3**

Captain Brian Neill  
1<sup>st</sup> Lieutenant Doug Morse IV  
2<sup>nd</sup> Lieutenant Edwin Vath

**Pequannock Engine Company No. 4**

Captain Don Moran  
1<sup>st</sup> Lieutenant Steve Drada  
2<sup>nd</sup> Lieutenant Greg Wills

FIRE POLICE – One Year Term –Bob Meier, Jim Soules, Tom Lozier, Alan Courtney, Doug Yates, Dan Canty, Harry Radell, Cliff Guenter, Doug Morse, Sr., Pete Shepard, Mike Huha, Edwin Vath **Fire Police Chief** – Doug Shorter

Blood Bank	One year	Butler Fire Department.
Veterans Service	One year	VFW Post 8096
Sr. Citizen Advisory	One year	Marge Cooper, Jackie Bausch, Cathy Nemis, Jim Soules, Charlotte Soules, Harry Radell, Joe Popivchak, Dorothy Popivchak, Isabelle Rimmer, Pat Wotjecki
Dial-A-Ride	One year	Carol Ashley
Museum Committee	Three years	Alan Bird, Helen Ebers, Jim Sloan and Sherry Bednarz-Mosier
Butler Recreation Commission	Five Years	Robert Soules and Helen “Shelly” Taggart
Butler Alliance Commission	Three years	Coleen Pascale
Public Agency Compliance Officer	One year	James Lampmann
Class III Planning Board	One year	Robert Fox
Moved: Regis		Second: Vath
Voted Aye: McNear, Regis, Verdonik and Vath		
Voted Nay: None		
Abstain: Fox on Planning Board appointment		
Absent: Meier		

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

Mayor Alviene’s Appointments to Planning Board  
Four-Year Term John Donnelly and Michael Hauck  
Two-Year Term: Michael Grygus  
Class II Member – One Year Term

Library Board Five Years Camille Piccirillo

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

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Representatives to Joint Insurance Fund – One-year term –  
James Lampmann and James Kozimor  
Representative to Public Power Association – One-year term –  
James Lampmann  
Alternate Representative to Public Power Association – One-year term –  
James Kozimor  
Liaison Member to Sr. Advisory Committee –  
Joseph Heywang  
Liaison Member to Board of Education –  
Council President Vath  
Liaison Member to Community Development Revenue Sharing Committee –  
James Lampmann, James Kozimor and James Nargiso  
Liaison Member to Clean Communities –  
Councilman McNear  
Liaison to Board of Health –  
Councilman McNear  
Representative to Morris Tomorrow –  
Councilman Meier  
Liaison to Museum Committee –  
Councilman Meier  
Representative to Morris County League of Municipalities –  
Mayor Alviene

#### STANDING COMMITTEES OF THE COUNCIL

##### FINANCIAL, ORDINANCE & RECREATION COMMITTEE

Council President Vath, Chairperson  
Councilman Regis, Vice Chairperson  
Councilman Fox, Member

##### PUBLIC SAFETY COMMITTEE

Councilman Regis, Chairperson  
Councilman Fox, Vice Chairperson  
Councilman Verdonik, Member

##### ELECTRIC LIGHT & PUBLIC LIGHTING COMMITTEE

Councilman Meier, Chairperson  
Councilman McNear, Vice Chairperson  
Councilman Regis, Member

##### WATER AND WASTEWATER COMMITTEE

Councilman Verdonik, Chairman  
Councilman Meier, Chairman  
Councilman McNear, Member

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HEALTH, SANITATION AND COMMUNITY DEVELOPMENT  
COMMITTEE

Councilman McNear, Chairperson  
Council President Vath, Vice Chairman  
Councilman Meier, Member

ROADS AND BUILDINGS/GROUNDS COMMITTEE

Councilman Fox, Chairman  
Councilman Verdonik, Vice Chairman  
Council President Vath, Member

Moved: Regis

Second: Vath

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

Voted Nay: None

Absent: Meier

Mayor Alviene noted that at this time we will take a short break to allow the dignitaries present to depart onto other ceremonies that are occurring Countywide this evening. Additionally, Mayor Alviene noted that also in attendance this evening are Freeholder David Scapicchio and Assemblywoman BettyLou DeCroce; he expressed his gratitude for their attendance this evening.

RESOLVED THAT THE OFFICIAL NEWSPAPERS FOR THE BOROUGH BE SUBURBAN TRENDS, HERALD NEWS, STAR LEDGER, DAILY RECORD AND BERGEN RECORD.

Moved: Vath

Second: Fox

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

Voted Nay: None

Absent: Meier

RESOLVED THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER HEREBY DESIGNATE THE FOLLOWING BANKING INSTITUTIONS AS DEPOSITORIES FOR MONEY BELONGING TO THE BOROUGH OF BUTLER FOR THE YEAR 2015: PNC BANK, LAKELAND STATE BANK, BANK OF AMERICA, N.J. CASH MANAGEMENT, VALLEY NATIONAL BANK

Moved: Fox

Second: Vath

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

Voted Nay: None

Absent: Meier

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RESOLVED THAT THE FOLLOWING OFFICIALS SHALL BE AUTHORIZED TO SIGN THE DISBURSEMENT CHECKS FOR THE VARIOUS ACCOUNTS: THE ADMINISTRATOR, THE FINANCE CHAIRMAN AND THE CHIEF FINANCIAL OFFICER. ALL ACCOUNTS REQUIRE TWO SIGNATURES, WITH THE EXCEPTION OF THE PAYROLL ACCOUNT WHICH REQUIRES ONLY THE CHIEF FINANCIAL OFFICERS SIGNATURE, THE HOSPITALIZATION ACCOUNT WHICH REQUIRES ONLY THE CHIEF FINANCIAL OFFICERS SIGNATURE, AND THE COURT ADMINISTRATORS ACCOUNT WHICH REQUIRES THE COURT ADMINISTRATORS SIGNATURE.

Moved: Vath

Second: Fox

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

Voted Nay: None

Absent: Meier

RESOLVED THAT THE FOLLOWING SURETY BONDS BE SECURED AND THE BOROUGH PAY ALL CHARGES FOR THE BONDS REQUIRED BY BOROUGH OFFICIALS: Tax Collector/Utility Supervisor \$406,000; Clerk Typist/Tax Collectors Office \$110,000; Magistrate \$18,000; Court Administrator \$100,000; Chief Financial Officer \$90,000; Public Employees Blanket \$25,000 per occurrence (excluding Tax Collector/Utility Supervisor, Magistrate, Court Administrator and Chief Financial Officer).

Moved: Fox

Second: Verdonik

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

Voted Nay: None

Absent: Meier

RESOLVED THAT THE COLLECTOR OF TAXES FOR THE BOROUGH OF BUTLER IS HEREBY AUTHORIZED TO CONDUCT THE ANNUAL SALE OF DELINQUENT TAXES AND OTHER MUNICIPAL CHARGES DUE ON A GIVEN PROPERTY COVERING ANY NUMBER OF QUARTERS AND PERMITS A MAXIMUM FEE OF \$25 FOR MAKING OF NOTICE OF TAX SALE FOR EACH OF TWO WEEKS PRECEDING THE DATE OF THE TAX SALE.

Moved: Fox

Second: McNear

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

Voted Nay: None

Absent: Meier

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RESOLVED THAT THE GOVERNING BODY MAY FIX THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DATE THEY WOULD BECOME DELINQUENT, AND MAY PROVIDE THAT WITHIN THE TENTH CALENDAR DAY FOLLOWING THE DATE UPON WHICH THE SAME BECAME PAYABLE, THE RATE SO FIXED SHALL NOT EXCEED 18% PER ANNUM ON ANY AMOUNT IN EXCESS OF \$1,500 TO BE CALCULATED FROM THE DATE THE TAX WAS PAYABLE, UNTIL THE DATE OF THE ACTUAL PAYMENT. THE INTEREST TO BE CHARGED A DELINQUENT TAXPAYER FOR NON-PAYMENT OF REAL PROPERTY TAXES SHALL BE AN ADDITIONAL PENALTY OF 6% IF THE AMOUNT OF DELINQUENCY IS IN EXCESS OF \$10,000 AT THE END OF A CALENDAR YEAR

Moved: Vath

Second: Fox

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

Voted Nay: None

Absent: Meier

RESOLVED THAT THERE IS HEREBY IMPOSED A SERVICE CHARGE OF \$20.00 PER CHECK OR OTHER WRITTEN INSTRUMENT WHICH SHALL BE ADDED TO ANY ACCOUNT OWING TO THE BOROUGH IF PAYMENT TENDERED ON THE ACCOUNT WAS BY A CHECK OR OTHER WRITTEN INSTRUMENT WHICH WAS RETURNED TO THE BOROUGH FOR INSUFFICIENT FUNDS. THE SERVICE CHARGE AUTHORIZED BY THIS RESOLUTION SHALL BE COLLECTED IN THE SAME MANNER PRESCRIBED BY LAW FOR THE COLLECTION OF THE ACCOUNT FOR WHICH THE CHECK OR OTHER WRITTEN INSTRUMENT WAS TENDERED.

Moved: Fox

Second: Regis

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

Voted Nay: None

Absent: Meier

RESOLVED, THAT THE TAX COLLECTOR IS PERMITTED TO PROCESS CANCELLATIONS OF PROPERTY TAX REFUNDS OR DELINQUENCIES OF LESS THAN \$10.00 WITHOUT FURTHER ACTION OF THE GOVERNING BODY IN ACCORDANCE WITH CHAPTER 82, PUBLIC LAW OF 1987, KNOWN AS N.J.S.A. 40A:5-017.1.

Moved: Fox

Second: Regis

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

Voted Nay: None

Absent: Meier

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RESOLVED, THAT THE SALARIES OF THE BOROUGH EMPLOYEES AND PAID OFFICIALS OF THE BOROUGH BE PAID EVERY TWO WEEKS FOR THE YEAR 2015 AND THAT THE CHIEF FINANCIAL OFFICER BE AUTHORIZED TO SIGN PAYROLLS ON BEHALF OF THE MAYOR AND COUNCIL AND HE BE AUTHORIZED TO ISSUE THE NECESSARY CHECKS.

Moved: Vath

Second: Verdonik

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

Voted Nay: None

Absent: Meier

RESOLVED THAT THE REGULAR MEETINGS OF THE COUNCIL BE HELD ON: January 20, February 17, March 17, April 21, May 19, June 16, July 21, August 18, September 15, October 20, November 10 and December 15, 2015. BE IT FURTHER RESOLVED, THAT THE FOLLOWING ORDER OF BUSINESS SHALL BE ALLOWED AT THE MEETINGS: 1. ROLL CALL; 2. APPROVAL OF MINUTES; 3. GREETING OF PUBLIC AND INVITATION FOR DISCUSSION; 4. REPORTS OF COMMITTEES AND DEPARTMENT HEADS; 5. APPROVAL OF VOUCHERS AND PAYROLLS; 6. PRESENTATION OF CORRESPONDENCE, PETITIONS; 7. PUBLIC HEARINGS; 8. ORDINANCES FOR INTRODUCTION; 9. ORDINANCES FOR ADOPTION; 10. RESOLUTIONS; 11. UNFINISHED BUSINESS; 12. INVITATION FOR DISCUSSION FROM PUBLIC; 13. ADJOURNMENT

Moved: Fox

Second: Verdonik

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

Voted Nay: None

Absent: Meier

R 2015-1 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH AUDITOR

Moved: Vath

Second: Fox

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

Voted Nay: None

Absent: Meier

R 2015-2 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH ENGINEER

Moved: Verdonik

Second: Fox

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

Voted Nay: None

Absent: Meier

R 2015-3 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH ATTORNEY

Moved: Fox

Second: McNear

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

Voted Nay: None

Absent: Meier



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R 2015-4 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BOND  
COUNSEL

Moved: Vath Second: Fox  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-5 RESOLUTION PROVIDING FOR AN AGREEMENT WITH DMC

Moved: Fox Second: Regis  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-6 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BETTS &  
HOLT

Moved: Vath Second: Fox  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-7 RESOLUTION PROVIDING FOR AN AGREEMENT WITH  
ANDERSON & DENZLER

Moved: Fox Second: Verdonik  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-8 RESOLUTION PROVIDING FOR AN AGREEMENT WITH SPECIAL  
LABOR COUNSEL TRIMBOLI & PRUSINOWSKI

Moved: Vath Second: McNear  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-9 RESOLUTION APPOINTING MUNICIPAL PROSECUTOR, ALTERNATE  
MUNICIPAL PROSECUTOR AND MUNICIPAL PUBLIC DEFENDER

Moved: Verdonik Second: Fox  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

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R 2015-10 RESOLUTION PROVIDING FOR AN AGREEMENT WITH CP ENGINEERS  
AND ARCHITECTURE FOR ENGINEERING SERVICES

Moved: Fox Second: Regis  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-11 RESOLUTION PROVIDING AN AGREEMENT WITH A RISK  
MANAGEMENT CONSULTANT

Moved: Vath Second: Verdonik  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-12 TEMPORARY BUDGET FOR 2015

Moved: Vath Second: Fox  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

R 2015-13 RESOLUTION AUTHORIZING AN AGREEMENT WITH PHOENIX  
ADVISORS, LLC FOR MUNICIPAL BOND RELATED ISSUES

Moved: Fox Second: McNear  
Voted Aye: Fox, McNear, Regis, Verdonik and Vath  
Voted Nay: None  
Absent: Meier

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public for discussion.

Seeing no one come forward the public portion of the meeting was closed.

Moved: Fox Second: McNear  
All in favor.

Motion to adjourn the reorganization meeting.

Moved: Regis Second: McNear  
All in favor.

Adjournment: 6:38 p.m.

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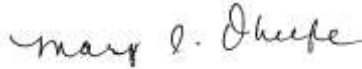
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Adopted: March 17, 2015



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Robert W. Alviene, Mayor



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Mary A. O'Keefe, RMC  
Municipal Clerk

Dated: March 17, 2015

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**BOROUGH OF BUTLER  
RESOLUTION R 2015-1  
RESOLUTION PROVIDING FOR AN AGREEMENT  
WITH THE BOROUGH AUDITOR**

**WHEREAS**, the Borough of Butler has a need to acquire auditing services as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the term of this contract is one year; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by a purchase order on an as needed basis in accordance with N.J.A.C. 5:30-5.4; and

**WHEREAS**, Nisivoccia & Company, has submitted a proposal dated December 4, 2014 indicating that they will provide the auditing services as follows:

Classification	Rate
Partner (Discounted Rate)	\$125
Manager	115
Supervisor	105
Senior Accountant	95
Staff Accountant	75

**WHEREAS**, Nisivoccia and Company has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the auditor from making any reportable contributions through the term of the contract; and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Nisivoccia and Co, as described herein; and


**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** a notice of this action shall be printed once in the legal newspaper of the Borough of Butler

Approved:

  
Robert W. Alvino, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

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BOROUGH OF BUTLER  
RESOLUTION R 2015-2  
RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH ENGINEER

WHEREAS, the Borough of Butler has a need to acquire engineering services as a professional service without obtaining competitive bids or quotations pursuant to the provisions of NJSA 19:44A-20.5 and

WHEREAS, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by purchase order on an as needed basis in accordance with NJAC 5:30-5.4; and

WHEREAS, the term of this contract is one year; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, Darmofalski Engineering Associates, Inc. has submitted a proposal dated December 5, 2014 indicating they will provide the engineering services as follows:

Professional Engineer	\$120/hr
Design/Drafting	70/hr
Field Inspector	70/hr
Outside Contractor	Cost + 15% Adm Fee

WHEREAS, Darmofalski Engineering Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the engineer from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Darmofalski Engineering Associates, Inc. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved:

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

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BOROUGH OF BUTLER  
RESOLUTION R 2015-3

RESOLUTION PROVIDING FOR  
AN AGREEMENT WITH THE BOROUGH ATTORNEY

WHEREAS, the Borough of Butler has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-A-20.5 or 20.5 as appropriate; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, Robert H. Oostdyk, Jr. has submitted a proposal dated December 17, 2014 indicating they will provide the legal services for an annual retainer of \$40,000 and matters of litigation at a rate of \$150 per hour; and

WHEREAS, Robert H. Oostdyk has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the attorney from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Finance Officer has certified that funds are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Robert H. Oostdyk, Jr. as described herein; and

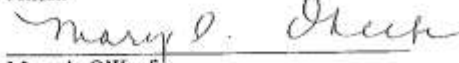
BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect upon publication in the Suburban Trends.

Approved:

  
Robert W. Alvino, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk  
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BOROUGH OF BUTLER  
RESOLUTION R 2015-4  
RESOLUTION PROVIDING FOR AN AGREEMENT  
WITH BOND COUNSEL

WHEREAS, the Borough of Butler has a need to acquire specialized legal services in connection with the authorization and the issuance of bonds or notes of the Borough of Butler in the County of Morris, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 44A-20.5; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,400; and

WHEREAS, the term of this contract is one year; and

WHEREAS, Robert Beinfeld, Esq. has submitted a proposal dated December 2, 2014 indicating they will provide the legal services for as attached; and

WHEREAS, Robert Beinfeld, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit Robert Beinfeld, Hawkins Delafield & Woods from making any reportable contributions through the term of the contract; and

WHEREAS, the CMFO has certified that funds are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Hawkins, Delafield and Woods as described herein; and


BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved:

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk  
Dated: January 6, 2015

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BOROUGH OF BUTLER  
RESOLUTION R 2015-5  
RESOLUTION PROVIDING FOR AN AGREEMENT  
WITH DMC ASSOCIATES, INC.

WHEREAS, the Borough of Butler has a need to acquire surveying services as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-2.5; and; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, Robert Cigol has submitted a proposal dated December 2, 2014 for surveying and tax map services indicating they will provide the surveying service with the following:

Professional Land Surveyor (PLS)	\$115.00 per hour
Senior Survey Analyst	90.00 per hour
Field Crew	165.00 per hour
AutoCAD Tech	75.00 per hour
Planning Board/Board of Adjustment Applications Review	115.00 per hour
GIS Maintenance/Updates	75.00 per hour

Fee for tax map services for year 2015 - \$4000.00 payable in two installments March and September 2015.

GIS Subscription – ARC GIS Online Data of Butler Power and Light Company (grids) \$5,400.00 (yearly subscription)

Tax Map Reproduction:	
Complete Set (24" x 36") Tax Maps for the Borough of Butler	\$125.00
Complete Set (11" x 17") Tax Maps for the Borough of Butler	\$ 50.00

WHEREAS, Robert Cigol has completed and submitted a Business Entity Disclosure Certification that he has not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the surveyor; from making any reportable contributions through the term of the contract; and

WHEREAS, the CMFO has certified that funds are available for this purpose; and

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Butler authorized the Mayor and Borough Clerk to enter into a contract with DMC Associates, Inc. as described herein; and

BE IT FURTHER RESOLVED, that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved:



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe

Borough Clerk

Dated: January 6, 2015



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BOROUGH OF BUTLER  
RESOLUTION R 2015-6  
RESOLUTION PROVIDING FOR AN AGREEMENT  
WITH BETTS & HOLT

WHEREAS, the Borough of Butler has a need to acquire legal services in power supply matters and with legal services provided to the Public Power Association as a professional service without obtaining competitive bids or quotations pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by purchase order on an as needed basis in accordance with NJAC 5:30-5.4; and

WHEREAS, Betts & Holt has submitted a proposal dated December 3, 2014 indicating they will provide the services as follows:

Partners	\$320 an hour
Of Counsel	315 an hour
Associates	180 an hour
Legal Assistants	90 an hour.

WHEREAS, Betts & Holt has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit the attorney from making any reportable contributions through the term of the contract;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Betts & Holt as described herein; and

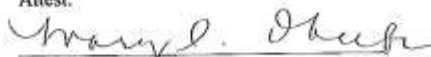
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved:

  
Robert W. Alyette, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk  
Dated: January 6, 2015

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BOROUGH OF BUTLER  
RESOLUTION R 2015-7  
RESOLUTION PROVIDING FOR AN AGREEMENT  
WITH ANDERSON & DENZLER ASSOCIATES, INC.

WHEREAS, the Borough of Butler has a need to acquire engineering services in the water utility as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by purchase order on an as needed basis in accordance with N.J.A.C. 5:30-5.4; and

WHEREAS, Anderson & Denzler has submitted a proposal dated November 18, 2015 indicating they will provide the engineering services as follows:

Principal Engineer	\$161.20 per hour
Professional Engineer	147.90 per hour
Engineer	104.60 per hour
Sr. Designer	112.20 per hour
Land Surveyor	119.90 per hour
Design Draftsman	89.00 per hour
Inspector	84.90 per hour
Draftsman	64.30 per hour
2-man field crew	168.80 per hour
3-man field crew	198.90 per hour
Travel costs	@ \$0.60 per mile

WHEREAS, Anderson & Denzler Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with Anderson & Denzler as described and that the Business Disclosure entity Certification and the Determination of Value be placed on file with this resolution and that a notice of this action shall be printed one in the legal newspaper of the Borough of Butler

Approved:

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

Dated: January 6, 2015

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BOROUGH OF BUTLER  
RESOLUTION R 2015-8

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES (LEGAL SERVICES)

WHEREAS, the Borough of Butler has a need to obtain Special Labor Counsel services and has determined to award this contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough of Butler has determined and certified in writing that the value of the service may exceed \$17,500; and

WHEREAS, the term of this contract is one year; and

WHEREAS, Stephen E. Trimboli, Esq. of the firm Trimboli and Prusinowski, LLC has submitted a proposal dated December 2, 2014 indicating that his firm will provide the special labor counsel services at a rate of \$150.00 per hour for Partners and \$135.00 per hour for Associates; and

WHEREAS, Stephen E. Trimboli, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Stephen E. Trimboli has not made any reportable contributions to a political or candidate committee in the Borough of Butler for the previous one year, and that the contract will prohibit Stephen E. Trimboli from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) required that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, in the County of Morris and State of New Jersey, that the Borough of Butler authorizes the entry of a contract with Stephen E. Trimboli, Esq. of the firm Trimboli and Prusinowski, LLC as described herein; and

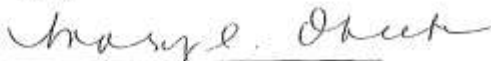
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved:

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

Dated: January 6, 2015

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BOROUGH OF BUTLER  
RESOLUTION R 2015-9

**WHEREAS**, the Borough Council of Butler is required to appoint a municipal prosecutor, alternate municipal prosecutor and public defender; and

**WHEREAS**, the Borough Council is required, pursuant to N.J.S.A. 2B:25-4a, to appoint an alternate municipal prosecutor to serve in the absence of the municipal prosecutor; and

**WHEREAS**, the Borough Council is required pursuant to N.J.S.A. 2B:24-3 to appoint a municipal public defender.


**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Butler, County of Morris, State of New Jersey that Edward Azar, Esq., is hereby appointed as municipal prosecutor and Nicholas Galante, Esq., is hereby appointed as alternate municipal prosecutor to serve in the absence of the municipal prosecutor.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Butler, County of Morris, State of New Jersey that Joseph Affinito is hereby appointed municipal public defender.

Adopted: January 6, 2015

  
Robert W. Alviente, Mayor

Attest:

  
Mary A. O'Keefe, Borough Clerk

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BOROUGH OF BUTLER  
RESOLUTION 2015-10

**WHEREAS**, the Borough of Butler has a need to acquire supplemental engineering services in the water utility as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, these Engineering services would be in the areas of Municipal Infrastructure, Water and Wastewater for projects that may go beyond the scope of our current water utility engineering firm; and

**WHEREAS**, the CMFO has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the term of this contract is one year; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose and the funds will be encumbered by purchase order on an as needed basis in accordance with N.J.A.C. 5:30-5.4; and

**WHEREAS**, a proposal for professional services dated December 12, 2014 has been submitted by CP Engineers and Architecture, 35 Sparta Avenue, Sparta, New Jersey indicating that they will provide these services as follows:

<b>Labor Classification</b>	<b>Hourly Rate</b>
Municipal/Board Engineer	\$125
Utility Engineer	158
Principal	175
Expert Witness	198
Senior Project Manager	150
Project Manager	140
Chief Engineer	150
Senior Project Engineer	140
Project Engineer	125
Staff Engineer	115
Engineering Technician	95
Chief Env Scientist	140
Sr. Project Env Scientist	130
Project Env Scientist	115
Staff Env Scientist	105
Env Technician	95
Chief Architect	150
Sr. Project Architect	140
Project Architect	125
Staff Architect	115

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Architectural Technician	95
Licensed Operator	85
Operator Technician	75
Managing Construction Inspector	95
Sr. Construction Inspector	85
Construction Inspector	70
Field Technician	70
Administrative	55

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with CP Engineers and Architecture as described and that the Business Disclosure entity Certification and the Determination of Value be placed on file with this resolution and that a notice of this action shall be printed once in the legal newspaper of the Borough of Butler

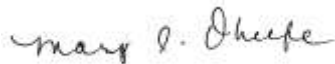
Approved:



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Robert W. Alviene, Mayor

Attest:



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Mary A. O'Keefe  
Borough Clerk

Dated: January 6, 2015

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BOROUGH OF BUTLER  
RESOLUTION NO. 2015-11

**WHEREAS**, the Borough of Butler has a need for Risk Management/Safety Consultant Services for the Borough and Butler Fire Department as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, these services would be in the area of right to know administration, safety, training and maintenance of records and risk management insurance requirements, training and regulatory compliance and keeping and maintaining records of the same; and

**WHEREAS**, the term of this contract would be for one year; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose and will be encumbered by purchase order on an as needed basis in accordance with N.J.A.C. 5:30-5.4; and


**WHEREAS**, a proposal for professional services dated December 30, 2014 submitted by John Alderton, indicating that he will provide the above stated services for an hourly rate of \$60.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Butler authorizes the Mayor and Borough Clerk to enter into a contract with John Alderton as described and that a notice of this action shall be printed once in the legal newspaper of the Borough of Butler.

Approved:

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

Dated: January 6, 2015

**Borough of Butler  
2015 Temporary Budget  
Resolution Number R 2015-12**

Whereas, the interest and debt redemption charges for the Fiscal Year 2015 are hereby determined as follows:

Department	Principal	Interest	Total
General Fund	500,000.00	97,937.50	597,937.50
Electric Utility Fund	575,000.00	186,255.00	761,255.00
Water Utility Fund	80,000.00	30,840.00	110,840.00
Total	1,155,000.00	315,032.50	1,470,032.50

Now, therefore, be it resolved by the Mayor and Council of the Borough of Butler in the County of Morris, New Jersey, that in accordance with the provision of R.S. 50:2-12 of the State of New Jersey, the following appropriation, interest and debt redemption charges for the Fiscal Year 2015 and the same are made as follows.

Department	Principal	Interest	Total
General Fund	500,000.00	97,937.50	597,937.50
Electric Utility Fund	575,000.00	186,255.00	761,255.00
Water Utility Fund	80,000.00	30,840.00	110,840.00
Total	1,155,000.00	315,032.50	1,470,032.50

Whereas, Title 40A:4-19 known as the Local Budget Law, provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2015 budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided, and;

Whereas, the total appropriations in the 2014 budget, less appropriations made for the Capital Improvement Fund, Debt Service, Relief for the Poor (Public Assistance) and Deferred Charges are as follows:

General Fund: \$9,945,551  
Electric Utility Fund: \$24,290,705  
Water Utility Fund: \$1,646,904

And,

Whereas, 25% of the total appropriations in the 2014 budget, less the appropriations made for Capital Improvement Fund, Debt Service, Relief of the Poor (Public Assistance), and Deferred Charges are as follows.

General Fund: \$2,486,388  
Electric Utility Fund: \$6,072,676  
Water Utility Fund: \$411,726

Approved:

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

Dated: January 6, 2015



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**BOROUGH OF BUTLER  
RESOLUTION NO. 2015-13**

**AUTHORIZING THE EXECUTION OF AN AGREEMENT  
WITH PHOENIX ADVISORS, LLC**

WHEREAS, the Borough of Butler as part of the process of issuing bonds is required to execute Continuing Disclosure Agreements to provide certain financial and other information and notices within specified timeframes, in a manner prescribed by regulators of the underwriter that purchased said bond issues; and

WHEREAS, it is beneficial for the Borough to retain assistance of experts in the field of municipal bond finance, who have knowledge and experience in these matters, to assist in a compliance survey and in the on-going filing of required information and notices and Phoenix Advisors, LLC provides such services; and

WHEREAS, the Borough Auditor and Chief Financial Officer have reviewed the agreement and recommend that the contract be awarded to Phoenix Advisors, LLC 4 West Park Street, Bordentown, New Jersey 08505 for a total price not to exceed \$1,500.00; and

WHEREAS, the Chief Financial Officer of the Borough of Butler has certified to the availability of funds available for this purpose.

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

- (1) The Borough of Butler hereby awards the agreement and authorizes the Chief Financial Officer to execute the agreement with Phoenix Advisors, LLC 4 West Park Street, Bordentown, New Jersey 08505
- (2) A copy of the agreement is on file in the office of the Borough Clerk.

Adopted:

  
Robert W. Alviene, Mayor

  
Mary A. O'Keefe, Clerk

Dated: January 6, 2015