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REORGANIZATION MEETING
JANUARY 2, 2018
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The Council Meeting was opened by Mayor Alviene who indicated that the meeting was being held in compliance with the Open Public Meetings Act having been duly advertised and posted in Borough Hall. This was followed by the Pledge of Allegiance and a Moment of Reflection.

OATH OF OFFICE

Councilman Douglas Travers – Councilman Travers wife Maria held the Family Bible while Ms. O’Keefe administered the Oath of Office to Councilman Travers.

Councilman Raymond Verdonik – Councilman Verdonik’s Children Trevor and Amy held the Bible, while Ms. O’Keefe administered the Oath of Office to Councilman Verdonik.

ROLL CALL

PRESENT: Mayor Robert W. Alviene, Councilman Alexander Calvi, Councilman Robert Fox, Councilman Robert Meier, Councilman Stephen Regis, Councilman Douglas Travers and Councilman Raymond Verdonik.

Also Present: James Lampmann, Borough Administrator, Christopher Woods, Office of the Borough Attorney and Mary O’Keefe, Borough Clerk

Mayor Alviene recognized the various dignitaries in attendance Freeholder Director Cabana and Freeholders Cesaro and Darling, Assemblywoman BettyLou DeCroce, Valerie Dolan and Mark Wilson of Nisivoccia, LLP. Additionally, Chief Chimento along with the Butler Police Department are present this evening. Electric Superintendent Jeff Ricker along with members of the Electric Utility. He thanked everyone for coming out this evening and noted that he wished we had this many people turn out on a regular basis.

Borough of Butler Police Chief Ciro Chimento is present this evening, he noted that 2017 was a busy year for the Butler Police Department as they answered more than 17,000 calls for a variety of offenses ranging from Domestic Violence to Motor Vehicle Accidents. At this time, he would like to detail the events and present the following members of the Butler Police Department with recognition for meritorious service to the Community:

Sergeant Keith Soules, Sergeant Bryan Gordon and Police Officer Matt Kennedy: On January 16, 2017 at approximately 7:58 p.m. the above listed officers responded to a residence on Boonton Avenue where they discovered a 28 year old female under the influence of heroin, she was pulseless and unresponsive. A dose of Narcan was administered and the Officers began Cardio Pulmonary Resuscitation; she was successfully revived and has sought addiction treatment. A life saving bar was awarded to the officers involved for their efforts.

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Sergeant Robert Findura and Police Officer Kevin Lee: On November 3, 2017 at approximately 12:38 p.m., the above listed officers responded to a business on Main Street, on a report of a 64-year-old male who had collapsed and was unresponsive. They administered Cardio Pulmonary Resuscitation, which resulted in the saving of this man's life who is still an active member of the community. A life saving bar was awarded to the officers involved for their efforts.

Sergeant Keith Soules and Police Officer Kyle Fontanazza: On December 4, 2017 at approximately 3:44 p.m., the above listed officers responded to a Decker Road residence for an unresponsive 73-year-old male who had collapsed because of a heart attack. Officers initiated Cardio Pulmonary Resuscitation and successfully revived the resident. A life saving bar was awarded to the officers involved for their efforts.

Chief Chimento wanted to recognize all the members of the Butler Police Department for the outstanding job they do, by going above and beyond on an everyday basis to serve the Borough.

Mayor Alviene thanked Chief Chimento and the Butler Police Department for the great job that they do.

The newly elected Council members wanted to thank their supporters for being elected and or reelected.

Councilman Verdonik wanted to say thank you to everyone for his or her support, he is looking forward to the next three years keeping the Borough moving forward. Working on budgets to keep everything steady, he is ready to get to work doing that.

Councilman Travers wanted to thank his supporters during the campaign and it was a worthwhile experience and be so rewarding to serve the residents.

Electric Superintendent/Foreman Jeff Ricker is present this evening to honor those members of Butler Electric who have retired after many years of service, collectively they represent more than 400 years of experience.

Patrick "Butch" Russo – 37 Years of Service
Matt Magill – 32 Years of Service
Ron Tintle – 31 Years of Service
Tom Tintle – 20 Years of Service
Brian Spellman – 25 Years of Service
Mike Dwyer – 33 Years of Service
Tim Kitchell – 42 Years of Service
Scott Ricker – 36 Years of Service
Rob Struble – 39 Years of Service
Al Marion – 33 Years of Service
Bob Green – 43 Years of Service
Craig Marion – 38 Years of Service

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Mr. Ricker expressed his thanks for all those in attendance this evening.

ELECTION OF COUNCIL PRESIDENT

Councilman Meier nominated Councilman Verdonik, second by Councilman Fox
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

Council President Verdonik thanked everyone for their support in electing him Council President.

APPOINTMENTS

Borough Attorney	One year	Robert H. Oostdyk, Jr.
Borough Engineer	One year	Paul Darmofalski
Borough Auditor	One year	Valerie Dolan of Nisivoccia LLP.
Tax Search Officer	One year	Cora Ashley
Municipal Prosecutor	One year	Edward Azar
Alt. Prosecutor	One year	Nicholas Galante
Public Defender	One year	Blagoja Petreski (back-up Paul T. Uhlik)
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

Butler Fire Department Chief – 2 Year Term –

Company Chiefs

Christopher Finelli
William Dunlap
Phil Soules
Donald Moran

Butler Fire Department Officers:

Kinney Hose Company No. 1

Captain Steven DePascale
Lieutenant Robert Carola

Bartholdi Hose Company No. 2

Captain Joe Herrman
Lieutenant Steve Wikfors

Kiel Hook and Ladder Company No. 3

Captain Doug Morse IV
Lieutenant Pat Hall

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Pequannock Engine Company No. 4

Captain Mike Mascelli
Lieutenant John Futcher, Jr.

FIRE POLICE – One Year Term –Richie Dean, Jim Soules, Tom Lozier, Alan Courtney,
Doug Yates, Harry Radell, Doug Morse, Sr., Pete Shepard, Mike Huha,
Edwin Vath

Fire Police Chief – Dan Canty

EMERGENCY MANAGEMENT COUNCIL – One-Year Terms –

Christopher Finelli, Jennifer Brennan, Daniel Hagberg, Dee Dunlap Dean, Mary
O’Keefe, Alan Courtney, Jarred Schmiedhauser, Ciro Chimento, Peter Tabbot, Dan
Canty, Scott Ricker, James Lampmann

Blood Bank	One year	Butler Fire Department.
Veterans Service	One year	VFW Post 8096
Butler Recreation Commission	Five Years	Louis Coiro and Dave Johnson
Sr. Citizen Advisory	One year	Bill Landon, Donna Meizinger, Dorothy Popivchak, Joe Popivchak Jim Soules, Charlotte Soules, Harry Radell, JoAnn Rehfuss, Isabelle Rimmer, Charlotte Soules, Jim Soules, Pat Wotjecki, Harry “Tom” Lozier and Alan Courtney
Dial-A-Ride	One year	Mary O’Keefe
Museum Committee	Three years	Remy Donnard, Alan Bird, Helen Ebers, Jim Sloan and Sherry Bednarz-Mosier
Butler Alliance Commission Public Agency	Five years	To be appointed at a later date
Compliance Officer	One year	James Lampmann

Class III Planning Board One year Robert Fox

Moved: Meier

Second: Regis

Voted Aye: Calvi, Meier, Regis, Travis and Verdonik

Voted Nay: None

Abstain: Fox on Planning Board appointment

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

Mayor Alviene’s Appointments to Planning Board

Four-Year Term Edwin Vath

Two-Year Term: Mark Roche

Class II Member – One Year Term – Christopher Finelli

Economic Development Committee – Two Year Terms – Sandi Liss, Chris Ziegler,
Jamie Tacinelli, Gregory Zaccardi, Isabelle Rimmer,
Raymond Verdonik and Alexander Calvi

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Library Board Five Years Helene Donargo

Board of Health – Five Year Term – Suzanne Finelli and Megan Walzer

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

Representatives to Joint Insurance Fund – One-year term –
James Lampmann and James Kozimor

Representative to Public Power Association and New Jersey Public Power Authority –
One-year term – James Lampmann

Alternate Representative to Public Power Association and New Jersey Public Power Authority –
One-year term – James Kozimor

Liaison Member to Sr. Advisory Committee – Joseph Heywang

Liaison Member to Board of Education – Alexander Calvi

Liaison Member to Community Development Revenue Sharing Committee – James Lampmann,
James Kozimor and James Nargiso

Liaison Member to Clean Communities – Councilman Travers

Liaison to Board of Health – Councilman Travers

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 Verdonik, Chairperson

Councilman Calvi, Vice Chairperson

Councilman Fox, Member

PUBLIC SAFETY COMMITTEE

Councilman Regis, Chairperson

Councilman Fox, Vice Chairperson

Councilman Meier, Member

ELECTRIC LIGHT & PUBLIC LIGHTING COMMITTEE

Councilman Meier, Chairperson

Councilman Regis, Vice Chairperson

Councilman Travers, Member

WATER AND WASTEWATER COMMITTEE

Councilman Calvi, Chairman

Council Travers, Vice Chairman

Council President Verdonik, Member

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HEALTH, SANITATION AND COMMUNITY DEVELOPMENT
COMMITTEE

Councilman Travers, Chairperson
Councilman Meier, Vice Chairman
Councilman Calvi, Member

ROADS AND BUILDINGS/GROUNDS COMMITTEE

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

Moved: Fox

Second: Meier

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

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

Moved: Meier

Second: Regis

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

Voted Nay: None

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 2018: PNC BANK, LAKELAND STATE BANK, BANK OF AMERICA, N.J. CASH MANAGEMENT, VALLEY NATIONAL BANK

Moved: Fox

Second: Regis

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

Voted Nay: None

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: Fox

Second: Regis

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

Voted Nay: None

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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: Meier

Second: Fox

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

Voted Nay: None

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: Verdonik

Second: Meier

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

Voted Nay: None

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: Meier

Second: Fox

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

Voted Nay: None

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: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

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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: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

RESOLVED, THAT THE SALARIES OF THE BOROUGH EMPLOYEES AND PAID OFFICIALS OF THE BOROUGH BE PAID EVERY TWO WEEKS FOR THE YEAR 2018 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: Meier

Second: Fox

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

Voted Nay: None

RESOLVED THAT THE REGULAR MEETINGS OF THE COUNCIL BE HELD ON: January 16, February 20, March 20, April 17, May 15, June 19, July 17, August 21, September 18, October 16, November 5 and December 18, 2018. 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: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

R 2018-1 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH AUDITOR

Moved: Verdonik

Second: Fox

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

Voted Nay: None

R 2018-2 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE BOROUGH ENGINEER

Moved: Fox

Second: Regis

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

Voted Nay: None

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R 2018-3 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH ATTORNEY

Moved: Fox Second: Regis
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

R 2018-4 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BOND
COUNSEL

Moved: Meier Second: Fox
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

R 2018-5 RESOLUTION PROVIDING FOR AN AGREEMENT WITH DMC

Moved: Fox Second: Verdonik
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

R 2018-6 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BETTS &
HOLT

Moved: Fox Second: Verdonik
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

R 2018-7 RESOLUTION PROVIDING FOR AN AGREEMENT WITH
ANDERSON & DENZLER

Moved: Fox Second: Regis
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

R 2018-8 RESOLUTION PROVIDING FOR AN AGREEMENT WITH SPECIAL
LABOR COUNSEL DORSEY AND SEMRAU

Moved: Fox Second: Verdonik
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

R 2018-9 RESOLUTION APPOINTING MUNICIPAL PROSECUTOR, ALTERNATE
MUNICIPAL PROSECUTOR AND MUNICIPAL PUBLIC DEFENDER

Moved: Fox Second: Regis
Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik
Voted Nay: None

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R 2018-10 RESOLUTION AUTHORIZING THE EXECUTION OF MASTER POWER
PURCHASE AND SALE AGREEMENTS AND CONFIRMATION
TRANSACTIONS THEREUNDER WITH VARIOUS SUPPLIERS

Moved: Meier

Second: Fox

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

Council President Verdonik recused himself from voting on this resolution

Voted Nay: None

R 2018-11 RESOLUTION AUTHORIZING AN AGREEMENT WITH PHOENIX
ADVISORS, LLC FOR MUNICIPAL BOND RELATED ISSUES

Moved: Fox

Second: Verdonik

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

Voted Nay: None

R 2018-12 TEMPORARY BUDGET FOR 2018

Moved: Fox

Second: Verdonik

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

Voted Nay: None

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: Verdonik

All in favor.

Motion to adjourn the reorganization meeting.

Moved: Fox

Second: Regis

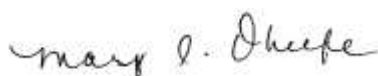
All in favor.

Adjournment: 6:34 p.m.

Adopted: February 20, 2018



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: February 20, 2018

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**BOROUGH OF BUTLER
RESOLUTION R 2018-1
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 11, 2017 indicating that they will provide the auditing services as follows:

Classification	Rate
Partner (Discounted Rate)	\$140
Manager	130
Supervisor	120
Senior Accountant	110
Staff Accountant	90

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. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION R 2018-2
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 18, 2017 indicating they will provide the engineering services as follows:

Professional Engineer	\$125/hr
Design/Drafting	75/hr
Field Inspector	75/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

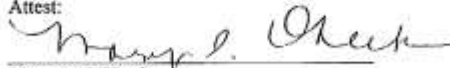
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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. Alvieche, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION R 2018-3

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 7, 2017 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. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2018

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BOROUGH OF BUTLER
RESOLUTION R 2018-4
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 8, 2017 indicating they will provide the legal services for the terms in the proposal on file in the office of the Borough Clerk; 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. Alviero, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2018

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BOROUGH OF BUTLER
RESOLUTION R 2018-5
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 November 29, 2017 for surveying and tax map services indicating they will provide the surveying service with the following:

Professional Land Surveyor (PLS)	\$125.00 per hour
Senior Survey Analyst	90.00 per hour
Field Crew	185.00 per hour
AutoCAD Tech	80.00 per hour
Planning Board/Board of Adjustment Applications Review	125.00 per hour
GIS Maintenance/Updates	80.00 per hour

Fee for tax map services for year 2018 - \$4000.00 payable in two installments March and September 2018.

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

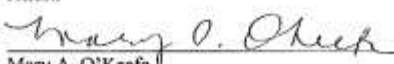
BE IT FURTHER RESOLVED, that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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 2, 2018

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BOROUGH OF BUTLER
RESOLUTION R 2018-6
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 19, 2017 indicating they will provide the services as follows:

Partners	\$350 an hour
Of Counsel	350 an hour
Associates	200 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. Alvinch, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2018

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BOROUGH OF BUTLER
RESOLUTION R 2018-7
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 15, 2017 indicating they will provide the engineering services as follows:

Principal Engineer	\$171.10 per hour
Professional Engineer	157.00 per hour
Engineer	111.00 per hour
Sr. Designer	119.00 per hour
Land Surveyor	127.20 per hour
Design Draftsman	94.50 per hour
Inspector	90.10 per hour
Draftsman	68.20 per hour
2-man field crew	179.10 per hour
3-man field crew	211.10 per hour
Travel costs @ \$0.60 per mile	

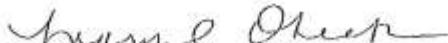
WHEREAS, Anderson & Denzler Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Butler in the previous one year, and that the contract will prohibit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

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2018

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BOROUGH OF BUTLER
RESOLUTION R 2018-8

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, Fred Semrau, Esq. of the firm Dorsey and Semrau, LLC has submitted a proposal dated December 7, 2017 indicating that his firm will provide the special labor counsel services at a rate of \$140.00 per hour; and

WHEREAS, Fred Semrau, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Fred Semrau, Esq. 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 Fred Semrau 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 Fred Semrau, Esq. of the firm Dorsey and Semrau, 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 2, 2018

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BOROUGH OF BUTLER
RESOLUTION R 2018-9

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 Blagoja Petreski is hereby appointed municipal public defender and Paul T. Uhlik be appointed as alternate.

Adopted: January 2, 2018


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe, Borough Clerk

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RESOLUTION 2018-10
OF THE BOROUGH OF THE BOROUGH OF BUTLER
AUTHORIZING EXECUTION OF MASTER POWER PURCHASE AND SALE
AGREEMENTS AND CONFIRMATION TRANSACTIONS THEREUNDER BETWEEN
THE BOROUGH AND VARIOUS SUPPLIERS

WHEREAS, pursuant to prior Council resolution(s) the Borough entered into Master Power Purchase and Sale Agreements with the following suppliers on the dates indicated:

Exelon Generation Company LLC ¹ ,	October 4, 2011
Talen Energy Marketing LLC ²	October 4, 2011
NextEra Energy Power Marketing, Inc.	October 4, 2011
PSEG Energy Resources & Trade LLC	October 28, 2011
Noble Americas Gas & Power Corp.	October 20, 2011
DTE Energy Trading, Inc.	October 4, 2011
BP Energy Company	February 3, 2015

WHEREAS, the Borough desires to extend to its authorized representatives the duty and obligation to execute Transaction Confirmations that secure specific quantities of energy for delivery to the Borough for specific delivery periods at a fixed price, and

WHEREAS, pursuant to prior Council authorization, and to facilitate the purchase of wholesale electricity, the Borough entered into the Membership Agreement with PJM Interconnection, LLC August 25, 2011 and the Master Energy Supply Agreement with American PowerNet Management, Inc. September 27, 2011,

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Butler in the County of Morris, State of New Jersey, that the Council affirms the above-described Master Power Purchase and Sale Agreements with Exelon Generation Company, LLC; Talen Energy Marketing LLC; NextEra Energy Power Marketing, Inc.; PSEG Energy Resources & Trade LLC; Noble Americas Gas & Power Corp.; DTE Energy Trading, Inc.; BP Energy Company; the Membership Agreement with PJM Interconnection, LLC; and the Master Energy

¹ An agreement was entered into with Constellation Energy Commodities Group, Inc. as well. However, Exelon Corporation, the parent company of Exelon Generation Company LLC, acquired Constellation Energy Group, the parent company of Constellation Energy Commodities Group, Inc. and assumed all the Constellation obligations.

² On June 1, 2015, PPL EnergyPlus LLC changed its name to Talen Energy Marketing LLC.

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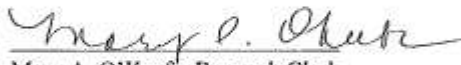
Supply Agreement with American PowerNet and authorizes the continuation of these agreements; and

BE IT FURTHER RESOLVED THAT the Council authorizes the Borough Administrator and Municipal Finance Officer to enter into binding Transaction Confirmations securing specific blocks of energy at specific delivery periods and prices pursuant to the Master Power Purchase and Sale Agreements.

ADOPTED AND APPROVED
January 2, 2018


Robert W. Alvie, Mayor

Attest:


Mary A. O'Keefe, Borough Clerk

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**BOROUGH OF BUTLER
RESOLUTION NO. 2018-11**

**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 2, 2018

**Borough of Butler
2018 Temporary Budget
Resolution Number R 2018-12**

Whereas, the interest and debt redemption charges for the Fiscal Year 2018 are hereby determined as follows:

Department	Principal	Interest	Total
General Fund	675,000.00	88,985.00	763,985.00
Electric Utility Fund	765,000.00	151,460.00	916,460.00
Water Utility Fund	292,341.00	55,993.00	348,334.00
Total	1,732,341.00	296,438.00	2,028,779.00

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 2018 and the same are made as follows.

Department	Principal	Interest	Total
General Fund	675,000.00	88,985.00	763,985.00
Electric Utility Fund	765,000.00	151,460.00	916,460.00
Water Utility Fund	292,341.00	55,993.00	348,334.00
Total	1,732,341.00	296,438.00	2,028,779.00

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 2018 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 2017 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: \$10,642,975
Electric Utility Fund: \$19,118,462
Water Utility Fund: \$1,861,590

And,

Whereas, 25% of the total appropriations in the 2017 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: \$2,660,744
Electric Utility Fund: \$4,779,616
Water Utility Fund: \$465,398

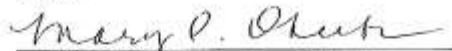
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Approved: January 2, 2018


Robert W. Alviene, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2018