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REORGANIZATION MEETING
JANUARY 2, 2019
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The Council Meeting was opened by the Borough Clerk, Mary O'Keefe 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 Elect Robert W. Alviene – Senator Joseph Pennacchio administered the Oath of Office to Mayor Alviene.

Councilman Elect Robert Fox –Senator Joseph Pennacchio administered the Oath of Office to Councilman Fox.

Councilman Elect Robert Meier – Senator Joseph Pennacchio administered the Oath of Office to Councilman Robert Meier.

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

ELECTION OF COUNCIL PRESIDENT

Councilman Fox nominated Councilman Verdonik, second by Councilman Meier

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

Voted Nay: None

Borough of Butler Police Chief Ciro Chimento is present this evening to present commendations to the members of his staff that went above and beyond the call of duty in 2018. He noted that 2018 was a busy year for the Butler Police Department as they answered more than 28,000 calls for a variety of offenses. 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 Robert Findura and Police Officer Kevin Lee: On December 12, 2017, the officers received a 911 call regarding a house on fire on Bartholdi Avenue, the officers responded bravely and although the fire had one fatality, the officers saved the lives of two elderly residents of the house. The officers entered the house without any additional gear of equipment, just their uniforms. They are being awarded exceptional duty awards, as they went above and beyond in this matter.

Sergeant Keith Soules and Detective Jarred Schmiedhauser: In early spring of 2018, he interacted with a motorist, the information from that motor vehicle stop led to a larger joint investigation with the Kinnelon Police Department that was headed up by Detective Schmiedhauser. Because of the investigation the following were seized over 100 marijuana

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plants, numerous assault weapons and approximately \$6,000.00. This was the largest drug transaction arrest to occur in the Butler Police Department history. They are being awarded drug buster award for their work in this case.

Officer Jordan Guttuso, while one of the newer officers has been a Butler Police Officer for almost four years. On the afternoon of July 22, 2018, a 911 call was received by dispatch regarding a man who was bleeding profusely from a dialysis port on Route 23. Officer Guttuso responded and applied a tourniquet that resulting in saving the man's life. Officer Guttuso is being awarded the lifesaver award.

Sergeant Robert Findura, Patrolmen Jorge Reyes and Kevin Lee on the morning of August 6, 2018 the officers responded to a medical emergency on Route 23 the officers performed Cardio Pulmonary Resuscitation on a woman who was not breathing nor had a pulse, as a result of their quick actions she regained consciousness and is alive today. Sergeant Findura, Patrolmen Reyes and Lee are being awarded lifesaver awards.

Chief Chimento thanked the Mayor and Council for allowing him the time to recognize these outstanding efforts.

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

Mayor Alviene presented a plaque honoring Daniel "Dan" Canty for his many years of service to the Borough of Butler, he noted that Dan was here every day and was here for everyone and he exhibited an exemplary work ethic.

Mayor Alviene recognized the various dignitaries in attendance, State Senator Joseph Pennacchio Assemblywoman BettyLou DeCroce, Newly Elected Freeholder Steve Shaw and Valerie Dolan of Nisivoccia, LLP.

APPOINTMENTS

Borough Attorney	One year	Robert H. Oostdyk, Jr.
Borough Engineer	One year	Thomas Boorady
Borough Auditor	One year	Valerie Dolan of Nisivoccia LLP.
Tax Search Officer	One year	Cora Ashley
Municipal Court Judge	Three years	John Paparazzo
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	Suzanne Finelli

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FIRE POLICE – One Year Term –Richie Dean, Jim Soules, Tom Lozier, Dan Canty,
Doug Yates, Harry Radell, Doug Morse, Sr., Joe Usinowicz, Bob Farro,
Pete Shepard, Mike Huha,
Fire Police Chief – Dan Canty

EMERGENCY MANAGEMENT COUNCIL – One-Year Terms –
Christopher Finelli, Mark Warner, 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
Sr. Citizen Advisory	One year	Bill Landon, Donna Meizinger, Dorothy Popivchak, Joe Popivchak Jim Soules, Charlotte Soules, Harry Radell, JoAnn Rehfuss, Isabelle Rimmer, Pat Wotjecki, Harry “Tom” Lozier and Alan Courtney
Dial-A-Ride	One year	Mary O’Keefe
Museum Committee	Three years	Cynthia Sokoloff and Kenneth Montanye
Butler Alliance Commission	Three years	Stephen Regis and William Hanisch
Public Agency Compliance Officer	One year	James Lampmann
Class III Planning Board	One year	Robert Fox
Moved: Meier		Second: Regis
All in favor.		

ALL APPOINTED OFFICIALS RECEIVED THE OATH OF OFFICE

Mayor Alviene’s Appointments to Planning Board
Four-Year Term Michael Hauck
Four-Year Term Salvatore Veneziano, Jr.
Four-Year Term John Donnelly
Two-Year Term: Michael Grygus
Class II Member – One Year Term – Christopher Finelli

Library Board Five Years Nancy Moody

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

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

Liaison Member to Sr. Advisory Committee – to be appointed

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

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

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Moved: Verdonik
All in favor.

Second: Regis

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

Moved: Fox
All in favor.

Second: Regis

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 2019: PNC BANK, LAKELAND STATE BANK AND N.J. CASH MANAGEMENT

Moved: Fox
All in favor.

Second: Verdonik

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
All in favor.

Second: Regis

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
All in favor.

Second: Regis

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
All in favor.

Second: Fox

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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: Fox
All in favor.

Second: Regis

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: Verdonik
All in favor.

Second: Regis

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
All in favor.

Second: Regis

RESOLVED, THAT THE SALARIES OF THE BOROUGH EMPLOYEES AND PAID OFFICIALS OF THE BOROUGH BE PAID EVERY TWO WEEKS FOR THE YEAR 2019 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: Fox
All in favor.

Second: Verdonik

RESOLVED THAT THE REGULAR MEETINGS OF THE COUNCIL BE HELD ON: January 15, February 19, March 19, April 16, May 21, June 18, July 16, August 20, September 17, October 15, November 12 and December 17, 2019. 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.

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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: Regis
All in favor. Second: Fox

R 2019-1 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH AUDITOR

Moved: Fox
All in favor. Second: Verdonik

R 2019-2 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH ENGINEER

Moved: Fox
All in favor. Second: Regis

R 2019-3 RESOLUTION PROVIDING FOR AN AGREEMENT WITH THE
BOROUGH ATTORNEY

Moved: Fox
All in favor. Second: Regis

R 2019-4 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BOND
COUNSEL

Moved: Verdonik
All in favor. Second: Regis

R 2019-5 RESOLUTION PROVIDING FOR AN AGREEMENT WITH DMC

Moved: Fox
All in favor. Second: Regis

R 2019-6 RESOLUTION PROVIDING FOR AN AGREEMENT WITH BETTS &
HOLT

Moved: Verdonik
All in favor. Second: Fox

R 2019-7 RESOLUTION PROVIDING FOR AN AGREEMENT WITH
ANDERSON & DENZLER

Moved: Fox
All in favor. Second: Regis

R 2019-8 RESOLUTION PROVIDING FOR AN AGREEMENT WITH SPECIAL
LABOR COUNSEL DORSEY AND SEMRAU

Moved: Verdonik
All in favor. Second: Regis

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R 2019-9 RESOLUTION APPOINTING MUNICIPAL PROSECUTOR, ALTERNATE
MUNICIPAL PROSECUTOR AND MUNICIPAL PUBLIC DEFENDER

Moved: Fox
All in favor.

Second: Verdonik

R 2019-10 RESOLUTION AUTHORIZING THE EXECUTION OF MASTER POWER
PURCHASE AND SALE AGREEMENTS AND CONFIRMATION
TRANSACTIONS THEREUNDER WITH VARIOUS SUPPLIERS

Moved: Verdonik
All in favor.

Second: Regis

R 2019-11 RESOLUTION AUTHORIZING AN AGREEMENT WITH PHOENIX
ADVISORS, LLC FOR MUNICIPAL BOND RELATED ISSUES

Moved: Verdonik
All in favor.

Second: Regis

R 2019-12 TEMPORARY BUDGET FOR 2019

Moved: Verdonik
All in favor.

Second: Regis

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public for discussion.

Maria Travers, 16 Western Avenue would like to congratulate Mayor Alviene and Councilman Fox and Councilman Meier on their re-election.

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

Moved: Fox
All in favor.

Second: Verdonik

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Motion to adjourn the reorganization meeting.

Moved: Fox
All in favor.

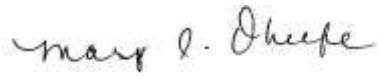
Second: Verdonik

Adjournment: 6:29 p.m.

Adopted: February 19, 2019



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: February 19, 2019

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**BOROUGH OF BUTLER
RESOLUTION R 2019-1
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 14, 2018 indicating that they will provide the auditing services as follows:

Classification	Rate
Partner (Discounted Rate)	\$150
Manager	135
Supervisor	125
Senior Accountant	120
Staff Accountant	95

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

WHEREAS, the Chief Financial Officer of the Borough of Butler has certified that funds are available for these services.

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

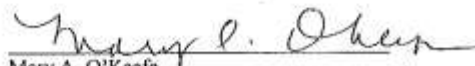
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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. Alvicie, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2019

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BOROUGH OF BUTLER
RESOLUTION R 2019-2
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 Certified Municipal Finance Officer 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 7, 2018 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

WHEREAS, the Chief Financial Officer of the Borough of Butler has certified that funds are available for these services.

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 2019-3

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 November 28, 2018 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

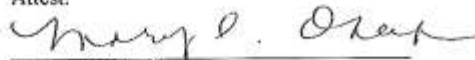
BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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

Approved:


Robert W. Alvient, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION R 2019-4
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 November 29, 2018 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

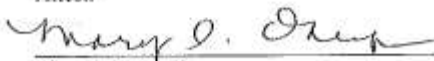
BE IT FURTHER RESOLVED that the Business and Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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. Alvione, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2019

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BOROUGH OF BUTLER
RESOLUTION R 2019-5
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 27, 2018 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 2019 - \$4000.00 payable in two installments March and September 2019.

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	\$150.00
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. Alvino, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk
Dated: January 2, 2019

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BOROUGH OF BUTLER
RESOLUTION R 2019-6
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 13, 2018 indicating they will provide the services as follows:

Partners	\$375 an hour
Of Counsel	375 an hour
Associates	240 an hour
Legal Assistants	75 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; and

WHEREAS, the Chief Financial Officer has certified that funds are available for these services.

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

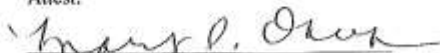
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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. Alvicino, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2019

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BOROUGH OF BUTLER
RESOLUTION R 2019-7
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, 2018 indicating they will provide the engineering services as follows:

Principal Engineer	\$174.50 per hour
Professional Engineer	160.15 per hour
Engineer	113.20 per hour
Sr. Designer	121.40 per hour
Land Surveyor	129.75 per hour
Design Draftsman	96.40 per hour
Inspector	91.90 per hour
Draftsman	69.55 per hour
2-man field crew	182.70 per hour
3-man field crew	215.30 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; and

WHEREAS, the Chief Financial Officer of the Borough of Butler has certified that funds are available for these services.

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. Alvio, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2019

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BOROUGH OF BUTLER
RESOLUTION R 2019-8

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 November 30, 2018 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 of the Borough of Butler 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

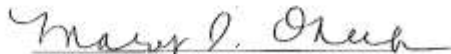
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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. Alvione, Mayor

Attest:


Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2019

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BOROUGH OF BUTLER
RESOLUTION R 2019-9

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.

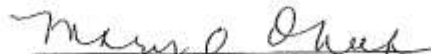
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Butler, County of Morris, State of New Jersey that Edward Azar, Esq., is hereby appointed as municipal prosecutor and Nicholas Galante, Esq., is hereby appointed as alternate municipal prosecutor to serve in the absence of the municipal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

Adopted: January 2, 2019


Robert W. Alviere, Mayor

Attest:


Mary A. O'Keefe, Borough Clerk

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RESOLUTION 2019-10

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;

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

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.

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

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Company; the Membership Agreement with PJM Interconnection, LLC and authorizes the continuation of these agreements; and

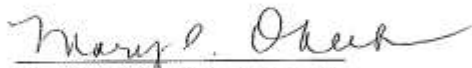
BE IT FURTHER RESOLVED THAT the Council authorizes the Borough Administrator and Municipal Finance Officer to enter into binding Transaction Confirmations securing specific blocks of energy at specific delivery periods and prices pursuant to the Master Power Purchase and Sale Agreements.

ADOPTED AND APPROVED
January 2, 2019



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, Borough Clerk

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**BOROUGH OF BUTLER
RESOLUTION NO. 2019-11**

**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, 2019

**Borough of Butler
2019 Temporary Budget
Resolution Number R 2019-12**

Whereas, the interest and debt redemption charges for the Fiscal Year 2019 are hereby determined as follows:

Department	Principal	Interest	Total
General Fund	555,000.00	59,625.00	614,625.00
Electric Utility Fund	645,000.00	130,985.00	775,985.00
Water Utility Fund	220,000.00	52,501.00	272,501.00
Total	1,420,000.00	243,111.00	1,663,111.00

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 2019 and the same are made as follows.

Department	Principal	Interest	Total
General Fund	555,000.00	59,625.00	614,625.00
Electric Utility Fund	645,000.00	130,985.00	775,985.00
Water Utility Fund	220,000.00	52,501.00	272,501.00
Total	1,420,000.00	243,111.00	1,663,111.00

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 2019 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 2018 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: \$10,634,580
Electric Utility Fund: \$19,337,689
Water Utility Fund: \$1,821,323

And,

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Whereas, 25% of the total appropriations in the 2018 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:	\$2,658,645
Electric Utility Fund:	\$4,834,422
Water Utility Fund:	\$455,331

Approved: January 2, 2019



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe
Borough Clerk

Dated: January 2, 2019