The Council Meeting of the Butler Mayor and Council was opened by Mayor Martinez who indicated that the meeting was being held in compliance with the Open Public Meetings Act having been duly advertised and posted in Borough Hall and on the Borough website. This was followed by The Pledge of Allegiance and a moment of silence for all that have passed including Robert Farro of the BFD.

ROLL CALL

PRESENT: Mayor Ryan Martinez, Councilman Calvi, Councilman Fox, Councilman Meier, Councilwoman Morley, Councilman Piccirillo and Council President Verdonik.

Absent: None

ALSO PRESENT: Borough Administrator, James Lampmann; Christopher Woods, Office of the Borough Attorney; and Brandi Smith-Greco, Borough Clerk.

APPROVAL OF MINUTES:

None

MEETING OF PUBLIC AND INVITATION FOR DISCUSSION

Mayor Martinez opened the meeting to the public.

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

Moved: Fox

Second: Verdonik

All in favor

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Council President Verdonik reported that in finance all is going well.

<u>Councilman Fox</u> reported in the Road Dept., street sweeping continues as needed. Plows, spreaders and winter equipment are all prepared for the upcoming season. Paving was completed on South Gifford, Hillside and Elm St. He also announced that BA James Lampmann submitted an application and received a grant from the Transportation Trust Fund to repave Main St. This is huge asset for the Borough.

<u>Councilwoman Morley</u> reported on all inspections for the term. An inspection on a Main St. trash receptacle complaint was done on 9/28 and 9/29 but nothing was observed overflowing on the sidewalks so no further action will be taken at this time. Kinnelon Sport & Fitness water quality tests were all satisfactory.

<u>Councilman Calvi</u> stated we had 31 MV accidents with 21 considered reportable and 3 injuries. Three DUI arrests. 186 summonses were issued from 310 stops. 8,098 random license plates checks were processed. There were 8 arrests for a variety of criminal offenses. Police continuing education, firearms training, commercial truck enforcement and field training is ongoing. 17 firearm applications were processed.

BFD responded to 198 alarms this year. Two new recruits are currently in the academy. They continue to hold at least 1 apparatus and 3 hands-on drills every month. Congratulations to firefighter Pauline Nassimos on becoming the first recruit to score a perfect score on both the written and practical exams.

Councilman Meier reported in the Electric Dept., crews will be relocating poles in preparation for the High Crest Bridge project on Rt. 23. We will be reimbursed by NJDOT. Butler Power & Light attended Spooky Stony providing a bucket truck on site and handing out candy. He then reported a summary of all services and repairs including new poles, voltage complaints, surge protection and new service for the Advanced Auto Parts store. Dead tree removal and trimming was completed. All meters were read and reported for the month. Delinquent accounts both residential and commercial were handled. All outage calls were repaired promptly.

For the museum, he said they had 2 cemetery tours (a.m. and p.m.) that were very well attended.

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

COUNCIL MEETING NOVEMBER 6, 2023 7:00 PM

Councilman Piccirillo reported in the Water Dept., routine maintenance and customer service continues as needed. Quarterly meter reading was completed and hydrant flushing is completed. Water meter change outs continue. In the Sewer Dept., routine maintenance and inspections were performed as necessary. No reported back-ups since our last report.

Borough Clerk, Brandi Smith-Greco reported on the following:

- Tax Collectors Report October 2023 \$ 2,000,877.99
- Power & Light/Water & Sewer Dept. October 2023 \$ TBD

APPROVAL OF VOUCHERS AND PAYROLLS

R 2023-120 Authorization for Payment of Bills and Vouchers

Moved: Verdonik

Second: Fox

Voted Aye: Calvi, Fox, Meier, Morley, Piccirillo, Verdonik

Voted Nay: None

Absent: None

PRESENTATION OF CORRESPONDENCE, PETITIONS

Brandi Greco asked if the Council would like to adopt the RevolutionNJ Resolution. Council said this requires further review and will decide on our participation at a later time.

ORDINANCE(S) FOR ADOPTION - PUBLIC HEARING

2023-12 An Ordinance of the Borough of Butler Providing for the Appropriation of \$100,000 for the Purchase of Water Utility Distribution Supplies from the State and Federal Grant Fund-American Rescue Plan Funds.

Introduced: October 17, 2023 Advertised: October 25, 2023

Brandi Greco opened this ordinance for public comment.

Seeing no one come forward, Councilman Fox made a motion to close public portion and move 2023-12. Second by Calvi.

Moved: Fox

Second: Calvi

Voted Aye: Calvi, Fox, Meier, Morley, Piccirillo, Verdonik

Voted Nay: None Absent: None

ORDINANCE(S) FOR INTRODUCTION

2023-13 An Ordinance to Amend and Supplement Various Provisions of Chapter 21 ("Fire Department") of the Revised General Ordinances of the Borough of Butler.

Public Hearing: December 19, 2023

Moved: Calvi

Second: Meier

Voted Aye: Calvi, Fox, Meier, Morley, Piccirillo, Verdonik

Voted Nay: None Absent: None

2023-14 An Ordinance of the Borough of Butler Providing for the Appropriation of \$32,000 for the Acquisition of a Meals on Wheels Utility Vehicle from the General Capital – Capital Improvement Fund.

Public Hearing: December 5, 2023

Moved: Fox

Second: Piccirillo

Voted Aye: Calvi, Fox, Meier, Morley, Piccirillo, Verdonik

Voted Nay: None Absent: None

MINUTES OF: DATE OF MEETING: TIME OF MEETING: PAGE NO. COUNCIL MEETING NOVEMBER 6, 2023 7:00 PM

<u>RESOLUTION(S):</u> 1. *Note all resolutions marked with an * are included in the Consent Agenda Resolution and will be passed by one motion.

A. 2023-121 Resolution Authorizing Passage of a Special Consent Agenda.

Moved: Fox

Second: Verdonik

All in favor

b.* 2023-122 Resolution Authorizing Refunds, Overpayments or Cancellations in the Electric Dept. c.* 2023-123 Resolution Authorizing Refunds, Overpayments or Cancellations in the Water Dept. f.* 2023-124 Resolution Authorizing Refunds, Overpayments or Cancellations in the Tax Office.

NEW/UNFINISHED BUSINESS

- Brandi confirmed attendance at the park lighting and it was suggested Councilman Meiers grandson and Councilwoman Morleys' children press the button.
- Brandi Greco confirmed volunteers for the Senior event on November 11th and Mr. Lampmann reiterated they would need to remain from "soup to clean-up"
- Brandi Greco confirmed Best Practices Inventory was submitted.
- Council inquired if we received additional details about the bridge project. James Lampmann explained the
 proposed detours and said he was writing to the state to reiterate the potential issues with the hill on Decker Ave
 and the increased traffic and difficulty of large trucks turning onto Main Street.

INVITATION FOR DISCUSSION FROM THE PUBLIC

Mayor Martinez opened the meeting to the public for discussion.

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

Moved: Fox

Second: Verdonik

All in favor

CLOSED SESSION

None

MOTION TO ADJOURN THE MEETING

Moved: Fox All in favor

Second: Verdonik

Adjournment: 7:24pm

Ryan Martinez, Mayor

Brandi L. Smith Greco, RMC Adopted: January 16, 2024

BOROUGH OF BUTLER RESOLUTION R 2023-120

AUTHORIZATION FOR PAYMENT OF BILLS

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

Name	Moved	Second	Aye	Nay	Absent	Abstain
A. Calvi			V			
R. Fox		V	/			
R. Meier			/			
B. Morley			/			
M. Piccirillo			V			
R. Verdonik	/		/			

Ryan Martinez, Mayor

Attest:

Brandi Smith-Greco RMC

Dated: November 6, 2023

BOROUGH OF BUTLER COUNTY OF MORRIS Ordinance 2023-12

AN ORDINANCE OF THE BOROUGH OF BUTLER PROVIDING FOR THE APPROPRIATION OF \$100,000 FOR THE PURCHASE OF WATER UTILITY DISTRIBUTION SUPPLIES FROM THE STATE AND FEDERAL GRANT FUND-AMERICAN RESCUE PLAN FUNDS.

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

SECTION 1. The funding for the purchase of water utility distribution supplies is hereby authorized with a cost not to exceed \$100,000, which sum is hereby appropriated for this purpose

SECTION 2. The total amount of \$100,000 for said supplies is hereby appropriated from the following funds:

State and Federal Grant Fund - American Rescue Plan Funds - \$100,000.

SECTION 3. This ordinance shall take effect after publication and passage as provided by law.

Adopted this 6thth day of November, 2023

Brand L. Smith-Greco, RMC

BOROUGH OF BUTLER

ORDINANCE NO. 2023 – 13

AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS PROVISIONS OF CHAPTER 21 ("FIRE DEPARTMENT") OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BUTLER

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

- Section 1. Chapter 21, Section 21-3, "Election and Appointment of Officers", Subsection A, shall be amended to read in its entirety as follows:
- A. Qualifications for officers. All officers of the Butler Fire Department must meet the following qualifications:
 - (1) Be a resident of the Borough of Butler or a contiguous municipality.
 - (2) Be an active member in good standing in the Butler Fire Department.
 - (3) Must be a Fire Fighter 2 with the New Jersey Division of Fire Safety Certificate.
 - (4) Must be physically able to perform all duties of the rank held.
 - (5) Must be a National Incident Management Level 2 with the New Jersey Division of Fire Safety Certificate.
 - (6) Must be able to pass a background check.
 - (7) Must be able to pass a driver's license check.
 - (8) Must meet all other applicable Fire Fighter Standards per PEOSH.
- **Section 2**. Chapter 21, Section 21-3, "Election and Appointment of Officers", Subsection B, shall be amended to read in its entirety as follows:
- B. Qualifications for Chief. The qualifications for a Chief in the Butler Fire Department shall be as follows:
 - (1) Shall have served in all ranks of officer prior to this rank.
 - (2) Must be a National Incident Management Level 2 with the New Jersey Division of Fire Safety Certificate.
 - (3) Must be a Fire Officer Level 1 with a New Jersey Division of Fire Safety Certificate.

- (5) Not hold elected office as Mayor or a Councilman during the term as Chief.
- (6) Must be a resident of the Borough of Butler
- **Section 3**. Chapter 21, Section 21-3, "Election and Appointment of Officers", Subsection C, shall be amended to read in its entirety as follows:
- C. Qualifications for Deputy Chief. The qualifications for a Deputy Chief in the Butler Fire Department shall be as follows:
 - (1) Shall have served in all ranks as an officer prior to this rank.
 - (2) Must be a Fire Officer Level 1 with a New Jersey Division of Fire Safety Certificate.
 - (3) Must be a National Incident Management Level 2 with a New Jersey Division of Fire Safety Certificate.
 - (4) Must have the Safety Officer Certificate from a New Jersey Division of Fire Safety approved training facility.
 - (5) Must have Building Construction and Size-Up Certificates from a New Jersey Division of Fire Safety approved training facility.
 - (6) Not hold elected office as Mayor or Councilman during the term as Deputy Chief.
 - (7) Must be a resident of the Borough of Butler.
- **Section 4.** Chapter 21, Section 21-3, "Election and Appointment of Officers", Subsection D, shall be amended to read in its entirety as follows:
- D. Qualifications for Battalion Chief. The qualifications for the Battalion Chief in the Butler Fire Department shall be as follows:
 - (1) Shall have served in all ranks as an officer prior to this rank.
 - (2) Must be a Fire Officer Level 1 with a New Jersey Division of Fire Safety Certificate.
- (3) Must be a National Incident Management Level 2 with a New Jersey Division of Fire Safety Certificate.
- (4) Must have the Safety Officer Certificate from a New Jersey Division of Fire Safety approved training facility.

- (5) Must have Building Construction and Size-Up Certificates from a New Jersey Division of Fire Safety approved training facility.
 - (6) Not hold elected office as Mayor or Councilman during the term as Battalion Chief.
 - (7) Must be a resident of the Borough of Butler
- **Section 5**. Chapter 21, Section 21-6, "Duties of Officers", Subsection F, shall be amended to read in its entirety as follows:
 - F. Duties of Master Mechanic are as follows: It shall be the duty of the Master Mechanic to make weekly inspections of each apparatus and to make a monthly written report to the Chief and to keep the apparatus in perfect running condition. The Master Mechanic shall be responsible for the condition of the apparatus. No fire fighter is permitted to make any adjustments on any apparatus without the permission of the Master Mechanic. For these services he shall receive a sum as may be hereafter determined by resolution.
- Section 6. Chapter 21, Section 21-6, "Duties of Officers", Subsection G, shall be added to read in its entirety as follows:
 - G. Driver Qualification For Apparatuses
- (1) Any member wanting to get qualified to drive fire department apparatuses shall follow the current SOGs and SOPs pertaining to driver training.
- (2) Once the member completes the driver training requirements, the board of chiefs will perform a road test for the trainee.
- **Section 7**. Chapter 21, Section 21-7, "Membership", Subsection C, shall be amended to read in its entirety as follows:
- C. The Butler Fire Department shall establish a Membership Committee consisting of four (4) members made up of members with in the Department. This Committee shall establish objective qualifications for membership according to the requirements of this ordinance. Their sole responsibility shall be to evaluate applications and determine if the membership criteria has been met. It shall, within 60 days of receipt of an application, make a report to the Chief as to whether or not the applicant qualifies for membership. Its decision shall be binding.

be amended to read in its entirety as follows:

The standards of efficiency for members of the Butler Fire Department shall be based upon the level of membership. The following levels of membership in the Butler Fire Department and the standards of efficiency for each level shall be as follows:

A. Member in Good Standing

- (1) The standard of efficiency in order to qualify as a member in good standing shall be as follows:
 - a. Participation in at least 50% of all department functions in accordance with 21-7F.
 - b. Adherence to all rules/regulations/policies of the fire department.
 - c. Compliance with all training requirements of the Butler Fire Department.
- (2) Privileges of a member in good standing:
 - a. Voting privileges.
 - Accidental insurance, life insurance and workers compensation insurance shall be provided
 by the Borough of Butler to these members.

B. Member in Good Standing/On Leave

- (1) The qualification standards for membership in good standing/on leave and the limitations to this membership shall be as follows:
 - a. Membership in good standing/on leave is reserved for a member that has expressed to the Department Fire Chief a difficulty in satisfying the criteria of a member in good standing. He/she does not want to be removed from the department roster, but has expressed a need to be inactive for a specified period of time due to personal reasons, medical need, or work or school commitments.
 - b. In no case shall the member in good standing/on leave be on leave for a continuous period of more than one year.
 - c. The member shall be in compliance with all training requirements of the Butler Fire Department upon return from leave.
 - d. Any member that has been placed on approved leave from active duty for medical reasons shall be required to provide a release from a medical doctor certifying that the member is able to return

- to active duty. Any member that is out on approved leave from active duty for medical reason will be assigned to light duty status unless otherwise directed in writing by their doctor.
- e. The request for leave shall be submitted with a recommendation of the Department Chief to the Public Safety Committee. The Public Safety Committee shall review the request and notify the Department Chief of its decision.
 - Section 8. Chapter 21, Section 21-7, "Levels of Membership and Standards of Efficiency", Subsection C, shall be added to read in its entirety as follows:

C. Auxiliary Members

- (1). Auxiliary members shall adhere to the requirements and standards as listed in Chapter 21 Fire Department of the Borough of Butler Municipal Codes, with the following exception: Auxiliary Members are prohibited from entering an IDLH environment as described by OSHA standard 29 CFR 1910.134.
- (2) Auxiliary Members shall be easily identifiably at the scene.
- (3) The auxiliary member level of membership will be limited by ordinance to 4 four members (one members per company), for the year starting 2024. At the discretion of the fire department starting in 2025, the auxiliary membership may increase by 4 more members, for a total of eight members (two members per company).
- (4) The standard of efficiency in order to qualify as an Auxiliary member shall be as follows:
 - a. Participation in at least 50% of all department functions in accordance with 21-7F.
 - b. Adherence to all rules/regulations/policies of the fire department.
 - c. Compliance with all training requirements of the Butler Fire Department pertaining to Auxiliary Members.
- (5) Privileges of an Auxiliary member:
 - a. Voting privileges.
 - Accidental insurance, life insurance, and workers compensation insurance shall be provided by the Borough of Butler to these members.

D. Conditional Membership

- (1) The qualification standards for conditional membership and the limitations to this membership shall be as follows:
 - a. This status is for members that do not meet the requirements of a member in good standing or a member in good standing/on leave.
 - b. Members remaining in the Conditional membership category for twelve consecutive months will be removed from the roles of the Butler Fire Department.
 - (2) The privileges for a conditional member shall be limited as follows:
 - a. Life insurance and workers compensation insurance shall be provided by the Borough of Butler to these members.
 - b. These members are not eligible to run for office in the fire department.
 - c. Conditional members have no voting rights.

E. Associate Membership

- (1) The qualification standards for associate membership and the limitations to this membership shall be as follows:
- a. A retired or disabled member, who so wishes, will be considered for an Associate Membership.

 The request for Associate member status shall be submitted with a recommendation of the Department Chief to the Public Safety Committee. The Public Safety Committee shall review the request and notify the Department Chief of its decision.
- (2) The privileges for an associate member shall be limited as follows:
- a. Associate members that have provided twenty-five (25) years of service in good standing to the Butler Fire Department shall remain eligible for the Life insurance benefit offered to the active members of the Butler Fire Department.
- b. Associate members have no voting rights.
- F. Reviews of member efficiency shall be performed by the Department Chief every month as a minimum. Results shall be submitted to the Mayor and Council quarterly. In addition, all candidates seeking election to an officer's position in the fire department shall be reviewed prior to the election.

Results of candidates seeking election to an office in the fire department shall be presented to the Mayor and Council one month prior to the election.

G. During the first 12 months of membership, all new members shall complete a Fire Fighter One Class as outlined in the NJ Administrative Code.

Section 9. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 10. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 11. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced this 6th day of

November, 2023.

Brandi Smith-Greco, Borough Clerk

BOROUGH OF BUTLER COUNTY OF MORRIS Ordinance 2023-14

AN ORDINANCE OF THE BOROUGH OF BUTLER PROVIDING FOR THE APPROPRIATION OF \$32,000 FOR THE ACQUISITION OF A MEALS ON WHEELS UTILITY VEHICLE FROM THE GENERAL CAPITAL - CAPITAL IMPROVEMENT FUND.

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

SECTION 1. The funding for the acquisition of a utility vehicle for the Meals on Wheels program is hereby authorized with a cost not to exceed \$32,000, which sum is hereby appropriated for this purpose

SECTION 2. The total amount of \$32,000 for said utility vehicle is hereby appropriated from the following funds:

General Capital - Capital Improvement Fund - \$32,000

SECTION 3. This ordinance shall take effect after publication and passage as provided by law.

Introduced this 6th day of November, 2023

Brandi L Smith-Greco

BOROUGH OF BUTLER RESOLUTION NO. 2023-121

RESOLUTION AUTHORIZING PASSAGE OF A CONSENT AGENDA

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

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

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

- 1. 2023-122 Resolution Authorizing Refunds, Overpayments or Cancellations in the Electric Dept.
- 2. 2023-123 Resolution Authorizing Refunds, Overpayments or Cancellations in the Water Dept.
- 3. 2023-124 Resolution Authorizing Refunds, Overpayments or Cancellations in the Tax Office.

Approved: November 6, 2023

Ryan Martinez, Mayor

Attest:

Brandi 1

BOROUGH OF BUTLER RESOLUTION R-2023-122

RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE ELECTRIC DEPARTMENT

WHEREAS, there appears on the utility records overpayments or credits as shown below; and

WHEREAS, the adjustments were created by the reasons indicated below, and the Supervisor of Accounts recommends the refund of such overpayments and cancellation of credit balances as indicated;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Butler that the proper officers be, and they are hereby authorized and directed to issue checks refunding such overpayments as hereafter shown below:

CODE OF REASONS

- 1. Overpayment-Refund
- 2. Cancellation of Uncollectible Amount
 *Lifeline Credit Returned to State
- 3. Cancellation of Debit Balance
- 4. Cancellation of Credit Balance

ACCT#	Name	Location	Amount	Year	Reason
100877	Eileen Heacook	9 Ace Road, Apt 202	\$206.25	2023	1
203658	Jennifer Husseyin	164 Glenwild Ave A	\$1,110.00	2023	1
209297	David & Stephanie Shaw	1500 Avalon Way	\$40.63	2023	1

ADOPTED:

Ryan Martinez, Mayor

ATTEST:

Brandi Smith Greco, Borough Clerk

Date: 1116/2

BOROUGH OF BUTLER **RESOLUTION R-2023-123**

RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE WATER/SEWER DEPARTMENT

WHEREAS, there appears on the utility records overpayments or credits as shown below; and

WHEREAS, the adjustments were created by the reasons indicated below, and the Supervisor of Accounts recommends the refund of such overpayments and cancellation of credit balances as indicated:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Butler that the proper officers be, and they are hereby authorized and directed to issue checks refunding such overpayments as hereafter shown below:

CODE OF REASONS

1. Overpayment-Refund

3. Cancellation of Debit Balance

2. Cancellation of Uncollectible Amount

4. Cancellation of Credit Balance

ACCOUNT # 211527

Name

Location

Amount

Year

Reason

Amanda Meikle

24 Mountain Ridge Rd

\$70.19

2023

1

ADOPTED:

Ryan Martinez, Mayor

ATTEST

BOROUGH OF BUTLER RESOLUTION R-2023-124

RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE

WHEREAS, there appears on the tax records overpayments or credits as shown below; and

WHEREAS, the adjustments were created by the reasons indicated below, and the Collector of Taxes recommends the refund of such overpayments and cancellation of credit balances as indicated;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Butler that the proper officers be, and they are hereby authorized and directed to issue checks refunding such overpayments as hereafter shown below:

CODE OF REASONS

5. Cancellation of Debit Balance

6. Cancellation of Certificate

7. Tax Title Lien Redemption8. Municipal Lien Redemption

- 1. Overpayment-Refund
- 2. Vets, SR Citizen Refund/Allow
- 3. Cancellation of Credit Balance
- 4. Tax Appeal

	*Totally Disabled Vet				
BLK/LOT/SUB	NAME	AMOUNT	YEAR	REASON	
26/2	TVH LLC	\$54,706.47	2022	7	

ADOPTED:

ATTEST:

Brandy Smith Greco, Borough Clerk

Date: 11/6/73

Cora M. Ashley, C.T.C.