

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

COUNCIL MEETING
JULY 15, 2025
7:00 PM
1

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

ROLL CALL

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

ALSO PRESENT: Matthew Guilder, Borough Administrator; Brandi Greco, Borough Clerk; Christopher Woods, Office of the Borough Attorney.

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

APPROVAL OF MINUTES

April 15, 2025

Moved: Orcutt Second: Verdonik

All in favor

Absent: Meier

May 6, 2025

Moved: Piccirillo Second: Guzman

All in favor

Abstain: Orcutt

Absent: Meier

MEETING OF PUBLIC AND INVITATION FOR DISCUSSION

Before public comment was opened, Christopher Woods made an announcement that all comments would be limited to 3 minutes per person due to the high interest in tonight's topics.

Tim Siek, Retiree from BP&L, approached and expressed concern over his last paycheck. Tim recently retired and said he was missing pay for his last 6 days of work. Mayor and Council agreed to look into it and resolve the issue.

Dennis Goerner – 40 Manning Ave resident & 170 Main St. business owner – stated he wants to say thank us for the clean-up that has been done so far on Main Street and wanted to know when signs would be put in place and when are fines being issued? He also has a new issue with e-bikes riding on the sidewalks and would like to know what can be done for enforcement.

Henry Monteferrante – 12 Second Street – Mr. Monteferrante read a prepared statement regarding the increase in CCW (aka Concealed Carry Weapon) permit fees. He requested we join the town of Englishtown in eliminating excessive fees and offering a rebate system for the \$150 permit fee. Mayor stated he will have a resolution prepared for a future meeting.

Greg Soderstrom – 39 Van Houten Ave - approached stating he has continuous issues with the drivers coming to and from the group home across from him. He has no issues with the residents but said the drivers are horrible. He has had mailbox, retaining wall and fence damage as well as a vehicle hitting his home. He is proposing we put speed bumps on the road. Council suggested he sue them for all of his damages, but he doesn't want to do that. He has police reports for all of the incidents, wants the town to intervene. Borough attorney suggested more police presence during the peak hours appx 830 am and again around 3-4 pm. He said Mr. Budesheim has been very responsive but the issues continue. Mayor Martinez said he would speak to the Chief personally.

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

Moved: Orcutt

Second: Verdonik

All in favor

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Council President Verdonik stated in Recreation, Stonybrook is up and running and was well attended on 4th of July weekend. Attendance has increased. Spooky Stony is in the planning stages and he will confirm the date soon. There is no Finance report.

Councilman Guzman reported on the recent Health Dept. inspections that took place.

Councilwoman Orcutt stated in the Water Dept., the current water break should be completely restored by this evening. This was a difficult break to repair due to the depth of the main being almost 20' where average is 4' as well as extreme heat and downpour conditions. Still the crews worked 24/7 to get it done and she commends them on their work.

Councilman Calvi stated in the Road Dept., we will be awarding the contract for paving and a list of streets being paved this year can be obtained by contacting the Borough Administrator.

Councilman Piccirillo stated we had 25 MV accidents, 17 considered reportable with 9 injuries. No DUI arrests and there were 13 firearm applications processed.

Brandi Greco reported on the following:

- Tax Collectors Report – June 2025 - \$362,582.44
- Power & Light/Water & Sewer Dept. – Not available at time of meeting

APPROVAL OF VOUCHERS AND PAYROLL

R 2025-100 Authorization for Payment of Bills and Vouchers

Moved: Verdonik Second: Calvi

Voted Aye: Calvi, Guzman, Orcutt, Piccirillo, Verdonik

Voted Nay: None

Absent: Meier

At this time Clerk Brandi Greco moved **R 2025-107** to this portion of the meeting as the action to be voted on may affect a forthcoming Ordinance.

R 2025-107 Resolution Changing the Next Council Meeting Date from August 19, 2025 to August 18, 2025

Moved: Orcutt

Second: Guzman

All in favor

PUBLIC HEARING(S)

A. Public-Private Partnership for Water Storage Tank Maintenance

Advertised: July 2, 2025

Now open for public comment

Seeing no one come forward, a motion was made to close public comment by Orcutt, second by Verdonik and all in favor.

ORDINANCE FOR INTRODUCTION

A. **2025-09** An Ordinance Amending the Borough of Butler Code of Ordinances to Repeal Article 124; to Adopt a New Article 124; to Adopt Flood Hazard Maps; to Designate a Floodplain Administrator and Providing for Severability and an Effective Date

Public hearing: August 18, 2025

Moved: Orcutt

Second: Verdonik

Voted Aye: Calvi, Guzman, Orcutt, Piccirillo, Verdonik

Voted Nay: None

Absent: Meier

RESOLUTION(S)

- A. **2025-101** Resolution Authorizing the Release of Performance Safety/Stabilization Guarantees and Retention of Maintenance Guarantee for PSI Atlantic, Butler, NJ
Moved: Piccirillo Second: Calvi
Voted Aye: Calvi, Guzman, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: Meier
- B. **2025-102** Audit Corrective Action Plan
Moved: Piccirillo Second: Guzman
Voted Aye: Calvi, Guzman, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: Meier
- C. **2025-103** Resolution Extending the Due Date of 3rd Quarter Taxes
Moved: Guzman Second: Orcutt
All in favor
- D. **2025-104** Resolution Authorizing Refunds, Overpayments or Cancellations in the Tax Office
Moved: Orcutt Second: Verdonik
All in favor
- E. **2025-105** Resolution Authorizing the Award of a Contract to Tilcon New York Inc., for Roadway Paving
Moved: Calvi Second: Guzman
Voted Aye: Calvi, Guzman, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: Meier
- F. **2025-106** Resolution Awarding a Non-Fair and Open Professional Services Contract to H2M Architects and Engineers for Licensed Operations and Regulatory Compliance Support Services
Moved: Orcutt Second: Verdonik
- G. **2025-108** Resolution Authorizing the Issuance of Not Exceeding \$5,118,357 Bond Anticipation Notes of the Borough of Butler, in the County of Morris, New Jersey.
Moved: Piccirillo Second: Verdonik
Voted Aye: Calvi, Guzman, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: Meier
- H. **2025-109** Resolution Requesting Approval of items of Revenue and Appropriation NJS 40A:4-87
Moved: Piccirillo Second: Calvi
Voted Aye: Calvi, Guzman, Orcutt, Piccirillo, Verdonik
Voted Nay: None
Absent: Meier

UNFINISHED/NEW BUSINESS

Clerk Greco announced that Kristy Ricker will fulfill the Recreation Board vacancy due to the resignation of Nichole Gawronski.

Clerk Greco announced she has received all the paperwork to begin processing the liquor license transfer from Jiggs to Duffy's.

Clerk Greco asked who would be attending NJLOM and said she needs to know housing preferences asap.

Main Street cameras – Mayor said there are no constitutional issues with cameras on Main St. near second story residences. Councilwoman Orcutt is concerned whether or not we can enforce strictly with camera footage alone. Mr. Woods believes we can

COUNCIL MEETING
JULY 15, 2025
7:00 PM
4

Adopted: September 2, 2025

July 8, 2025
02:35 PM

BOROUGH OF BUTLER
Cash Receipts Totals from 06/01/25 to 06/30/25

Page No: 1

Range: Block: First to Last Range of Util Accounts: First to Last
 Lot: Range of Customers: First to Last
 Qual:
 Range of Codes: First to Last Range of Years: First to 2026 Range of Periods: 1 to 12
 Range of Batch Ids: First to Last Range of Dates: 06/01/25 to 06/30/25
 Range of Sections: First to Last Name to Print: Bill To
 Range of City Ids: First to Last
 Range of Spec Tax Codes: First to Last Print Ref Num: N Print Utility w/Block/Lot/Qual: N
 Payment Type Includes: Tax: Y Sp Charges: Y Lien: Y Sp Assmnt: Y Water: N Sewer: N
 Voucher Agency: Y Misc: Y Electric: N Invoice: Y Animal: Y Misc: Y
 Payment Method Includes: Cash: Y Check: Y Credit: Y Voucher: N
 Range of Installment Due Dates: First to Last
 Print Only Miscellaneous w/Block/Lot/Qual: N Sort Miscellaneous Payments by Block/Lot/Qual/Utility Account: N
 Print Only Miscellaneous w/Utility Id: N

Code	Description	Count	Arrears/Other	Principal			Interest	Total
				2024	2025	2026		
001	TAXES	71	0.00	2,912.67	228,964.81	0.00	4,973.89	236,851.37
023	SUBSEQUENT PAYMENTS	1	0.00	0.00	10,311.84	0.00	175.30	10,487.14
	Tax Payments	72	0.00	2,912.67	239,276.65	0.00	5,149.19	247,338.51
INV	Invoice	1	100.00	0.00	0.00	0.00	0.00	100.00
	Invoice Payments	1	100.00	0.00	0.00	0.00	0.00	100.00
CAT	Cat License	1	7.00	0.00	0.00	0.00	0.00	7.00
DOG	Dog License	8	95.00	0.00	0.00	0.00	0.00	95.00
	Animal Lic Payments	9	102.00	0.00	0.00	0.00	0.00	102.00
103	ABC LICENSES	5	8,417.60	0.00	0.00	0.00	0.00	8,417.60
104	LICENSES - OTHER	9	90.00	0.00	0.00	0.00	0.00	90.00
128	POLICE REPORTS	14	850.00	0.00	0.00	0.00	0.00	850.00
132	GARAGE SALE PERMITS	7	35.00	0.00	0.00	0.00	0.00	35.00
134	CERTF LISTS-BD OF A	2	20.00	0.00	0.00	0.00	0.00	20.00
135	ROAD OPENING PERMIT	3	300.00	0.00	0.00	0.00	0.00	300.00
176	MUNICIPAL COURT FIN	1	6,043.51	0.00	0.00	0.00	0.00	6,043.51
221	LIBRARY OFFSET CHAR	2	3,192.00	0.00	0.00	0.00	0.00	3,192.00
226	SALE OF LEAF BAGS	2	23.00	0.00	0.00	0.00	0.00	23.00
231	SENIOR HOUSING RENT	1	333.33	0.00	0.00	0.00	0.00	333.33
500	BUTLER FIRE PREVENT	1	50.00	0.00	0.00	0.00	0.00	50.00
651	DUE DEVEL. ESCROW	3	6,158.00	0.00	0.00	0.00	0.00	6,158.00
670	MARRIAGE LIC.- STAT	3	75.00	0.00	0.00	0.00	0.00	75.00
671	MARRIAGE LIC.- BORO	3	9.00	0.00	0.00	0.00	0.00	9.00
702	ZONING RENT REGISTR	2	270.00	0.00	0.00	0.00	0.00	270.00
703	CELL TOWER RENTAL	4	12,773.16	0.00	0.00	0.00	0.00	12,773.16
704	REGISTRAR FEE	5	80.00	0.00	0.00	0.00	0.00	80.00
706	MISCELLANEOUS REV	1	250.00	0.00	0.00	0.00	0.00	250.00
708	Zoning Officer Rec.	29	3,780.00	0.00	0.00	0.00	0.00	3,780.00
715	MUSEUM DONATION	1	100.00	0.00	0.00	0.00	0.00	100.00
728	GAS REIMB. - SCHOOL	1	350.98	0.00	0.00	0.00	0.00	350.98
737	LEAD INSPECT.-BORO	3	130.00	0.00	0.00	0.00	0.00	130.00
738	LEAD INPECT.-STATE	2	60.00	0.00	0.00	0.00	0.00	60.00
739	TREE REMOVAL FEES	2	30.00	0.00	0.00	0.00	0.00	30.00

July 8, 2025
02:35 PM

BOROUGH OF BUTLER
Cash Receipts Totals from 06/01/25 to 06/30/25

Page No: 2

Code Description	Count	Arrears/Other	Principal			Interest	Total
			2024	2025	2026		
806 REIMB - POLICE O.T.	3	2,800.00	0.00	0.00	0.00	0.00	2,800.00
809 REIMB. - LIBRARY	2	39,980.92	0.00	0.00	0.00	0.00	39,980.92
821 NJPPA REIMBURSEMENT	1	28,840.43	0.00	0.00	0.00	0.00	28,840.43
Misc Payments	112	115,041.93	0.00	0.00	0.00	0.00	115,041.93
Payments Total:	194	115,243.93	2,912.67	239,276.65	0.00	5,149.19	362,582.44
Cash O/S Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
NSF Reversals Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
Total:	194	115,243.93	2,912.67	239,276.65	0.00	5,149.19	362,582.44

Total Cash: 2,944.32
Total Check: 359,638.12
Total Credit: 0.00

Total License Fee: 68.60
Total Dupl. Fee: 1.00
Total Local Pop Fee: 0.00
Total NJ Pop Fee: 9.00
Total NJ Clinic Fee: 1.40
Total NJ Reg Fee: 7.00
Total Late Fee: 15.00

*Respectfully Submitted,
Ana M Ashley, COE*

DATE: June-25

**BOROUGH OF BUTLER
POWER & LIGHT/WATER & SEWER DEPARTMENT
CASH RECEIPTS**

ELECTRIC: 09

Residential	09-08-500-010	\$399,030.29
NSF REVERSALS	09-08-500-010	-\$7,614.21
Commercial	09-08-500-020	\$197,429.86
Flood Lights	09-08-500-030	\$4,088.17
Street Lights	09-08-500-050	\$4,137.22
Interest	09-08-500-070	\$1,664.97
DOOR CHARGE	09-08-500-070	\$1,188.66
RECONNECT CHARGE	09-08-500-070	\$2,097.87
NSF-BANK & BORO FEE	09-08-500-070	\$463.29
INSTALL POLES	09-08-500-076	\$0.00
MISCELLANEOUS	09-08-500-076	\$4,800.00
WORKER'S COMP	09-08-500-076	\$0.00
SOLAR APPLICATION	09-08-500-076	\$100.00
MV DAMAGED POLES	09-08-500-076	\$22,811.53
CREDIT CARD FEES	09-08-500-076	\$0.00
OVERTIME	09-08-500-076	\$0.00
SEARCHES	09-08-500-076	\$472.00
TEMP SERVICE	09-08-500-076	\$0.00
UNDERGROUND SVC.	09-08-500-076	\$0.00
Sales Tax	09-08-500-080	\$63,643.53
LEAC	09-08-500-100	\$806,194.65
ZEC	09-08-500-105	\$19,445.51
METER DEPOSITS		\$10,720.00
TOTAL ELECTRIC:		\$1,530,673.34

WATER/SEWER: 05

SEWER NSF REVERSAL	01-08-123-010	\$0.00
SEWER BLDE	01-08-123-070	\$0.00
SEWER INTEREST	01-08-123-138	\$148.94
WATER NSF REVERSAL	05-08-500-010	-\$241.50
SEWER	05-08-500-010	\$13,112.31
WATER INTEREST	05-08-500-011	\$154.31
FIRE HYDRANTS	05-08-500-020	\$0.00
BLOOMINGDALE BULK	05-08-500-040	\$37,084.07
MISC BILLED	05-08-500-070	\$0.00
DISCONNECT/DOOR CHARGES	05-08-500-072	\$0.00
NSF-BANK FEES	05-08-500-073	\$54.00
WATER CONNECTION	05-08-500-100	\$0.00
WATER	05-16-500-010	\$18,623.40
WATER MISCELL.	05-16-500-105	\$0.00
METER DEPOSITS		\$700.00
CONVERSION BALANCE PAID		\$0.00
TOTAL WATER & SEWER		\$69,635.53

TOTAL RECEIPTS: \$1,600,308.87

Respectfully Submitted,
CORA ASHLEY CTC, UTILITY SUPERVISOR


Prepared by Linda De Cumber

BOROUGH OF BUTLER
RESOLUTION R 2025-100

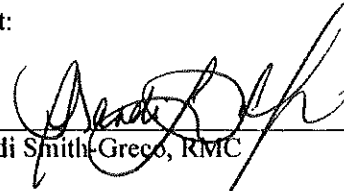
AUTHORIZATION FOR PAYMENT OF BILLS

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

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


Ryan Martinez, Mayor

Attest:


Brandi Smith-Greco, RMC

Dated: July 15, 2025

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 1

Batch Id: RD Batch Type: C Batch Date: 07/15/25 Checking Account: CLAIMS G/L Credit: Budget G/L Credit
Generate Direct Deposit: N

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
25-00571	07/15/25	ABA02 ABARB PEST SERVICES		869 RINGWOOD AVENUE					
05/06/25	4	JUNE SERVICES FOR FD	40.00	5-01-26-310-550	Budget	Aprv	36	1	
			40.00	B&G Contracted Services					
25-00535	07/15/25	AFF03 AFFILIATED TECHNOLOGY SOLUTION							
05/01/25	10	MTHLY T1 PRE CIRCIT-JULY BILL	605.70	5-01-31-440-300	Budget	Aprv	23	1	
				Telephone					
25-00535	05/01/25	11 MTHLY T1 PRE CIRCIT-JULY BILL	181.71	5-05-55-500-205	Budget	Aprv	24	1	
				WATER ADMINISTR Postage & Phone					
25-00535	05/01/25	12 MTHLY T1 PRE CIRCIT-JULY BILL	424.00	5-09-55-500-205	Budget	Aprv	25	1	
			1,211.41	Electric Postage & Phone					
25-00882	07/15/25	AFF05 AFFORDABLE FUN 4 KIDS		D/B/A LUCKY STAR AMUSEMENT					
07/15/25	1	OBSTACLE COURSE FOR JULY 31	700.00	T-13-56-370-952	Budget	Aprv	203	1	
			700.00	Summer Rec Trip					
25-00870	07/15/25	AIR01 AIRGAS USA, LLC		P. O. BOX 734445					
07/10/25	1	LARGE ACTYLN/SM PRPN	32.25	5-01-25-265-430	Budget	Aprv	184	1	
				FIRE Maintenance and Repairs					
25-00870	07/10/25	2 LARGE ACTYLN/LG OXYGEN	24.00	5-01-26-290-640	Budget	Aprv	185	1	
				STREETS & ROADS Rental					
25-00870	07/10/25	3 LARGE ARGON	18.75	5-09-55-501-465	Budget	Aprv	186	1	
				Electric Rental & Easements					
25-00870	07/10/25	4 LG NTROGN/SM ARGN/SM PROPAN	53.25	5-09-55-501-550	Budget	Aprv	187	1	
			128.25	Electric Sub Station Maintenance					
25-00603	07/15/25	ALL02 ALLIED OIL COMPANY		P.O. BOX 392					
05/12/25	12	MTHLY FUEL SRV-BD OF ED	449.55	Z-01-55-900-850	Budget	Aprv	55	1	
				School Gas Reimbursement					
25-00603	05/12/25	13 MTHLY FUEL SRV-TRIBORO	578.34	Z-01-55-900-850	Budget	Aprv	56	1	
				School Gas Reimbursement					
25-00603	05/12/25	14 MTHLY FUEL SRV-ELECTRIC	418.85	5-09-55-500-315	Budget	Aprv	57	1	
				Electric Gasoline & Diesel					
25-00603	05/12/25	15 MTHLY FUEL SRV-RDS/FD/PD/MOW	4,234.97	5-01-31-460-315	Budget	Aprv	58	1	
			5,681.71	Gasoline					
25-00810	07/15/25	ALL04 ALL MAINTENANCE PRODUCTS INC		5 MATHEWS AVENUE					
07/01/25	1	TOILET PAPER, BLEACH, TBAGS/TWL	287.00	5-01-28-370-250	Budget	Aprv	155	1	
			287.00	RECREATION Other Supplies					
25-00797	07/15/25	AME12 AMERICAN HOSE & HYDRAULIC CO		PO BOX 440					
06/26/25	1	heads/tubes/rods/seals/supp	1,022.40	5-09-55-501-430	Budget	Aprv	143	1	
				Electric Maintenance and Repairs					

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 2

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
			1,022.40						
25-00828	07/03/25	1 PROF ENG SRVCS-JUNE '25	949.50	ASSOCIATES, INC	5-05-55-500-575	Budget	Aprv	157	1
			949.50	WATER ADMINISTR ENGINEERING FEES					
23-01535	12/27/23	1 37.5 KVA POLE MT TRANSFORMERS	6,905.00	PO BOX 842584	Z-09-55-500-500	Budget	Aprv	1	1
23-01535	06/26/25	2 37.5 KVA POLE MT TRANSFORMERS	34,525.00	ELECTRIC ACCOUNTS PAYABLE	Z-09-55-500-500	Budget	Aprv	2	1
23-01535	06/26/25	3 37.5 KVA POLE MT TRANSFORMERS	6,905.00	ELECTRIC ACCOUNTS PAYABLE	Z-09-55-500-500	Budget	Aprv	3	1
			48,335.00	ELECTRIC ACCOUNTS PAYABLE					
25-00688	06/02/25	3 #6-Reassessment	2,900.00	C/O TERESA SHERMAN	5-01-20-152-200	Budget	Aprv	91	1
			2,900.00	TAX ASSESSOR REVALUATION EXPENSES					
25-00053	07/03/25	5 QTRLY CONTRACT-APR-JUNE '25	69.82	ATLANTIC BUSINESS PRODUCTS	5-01-20-100-430	Budget	Aprv	13	1
			69.82	A&E Maintenance and Repairs	5-09-55-500-430	Budget			2
			34.90	Electric Maintenance and Repairs	5-05-55-500-430	Budget			3
25-00601	05/12/25	10 MTHLY SERVICES JUNE '25	6.25	WATER ADMINISTR Maintenance and Repairs	5-09-55-500-430	Budget	Aprv	52	1
25-00601	05/12/25	11 MTHLY SERVICES JUNE '25	3.13	Electric Maintenance and Repairs	5-05-55-500-430	Budget	Aprv	53	1
25-00601	05/12/25	12 MTHLY SERVICES JUNE '25	6.25	WATER ADMINISTR Maintenance and Repairs	5-01-20-100-430	Budget	Aprv	54	1
			190.17	A&E Maintenance and Repairs					
25-00546	05/05/25	10 MTHLY PHONE SERVICE-JUNE '25	403.08	PO Box 182576	5-09-55-500-205	Budget	Aprv	28	1
25-00546	05/05/25	11 MTHLY PHONE SERVICE-JUNE '25	201.54	Electric Postage & Phone	5-01-31-440-300	Budget	Aprv	29	1
25-00546	05/05/25	12 MTHLY PHONE SERVICE-JUNE '25	67.17	Telephone	5-05-55-500-205	Budget	Aprv	30	1
			671.79	WATER ADMINISTR Postage & Phone					
25-00143	07/15/25	4 WATER-23 BRANDT-JULY-SEPT'25	123.25	101 HAMBURG TURNPIKE	5-01-31-445-310	Budget	Aprv	14	1
			123.25	Water/ Fire Hydrants					
25-00567	05/06/25	7 MTHLY SERVICE-JULY BILL	10,767.07	BOROUGH OF BUTLER ELECTRIC ACC	5-05-55-500-350	Budget	Aprv	32	1

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 3

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
25-00567	07/10/25	8 MTHLY SERVICE-JULY BILL	7,631.89	WATER ADMINISTR ELECTRIC 5-01-31-430-305 Electric	Budget	Aprv	33	1
			<u>18,398.96</u>					
25-00038	07/15/25	3 '25 QTRLY WATER SEWER BILL-Q3	1,620.70	5-01-31-445-310 Water/ Fire Hydrants	Budget	Aprv	10	1
			405.18	5-09-55-500-330 Electric Water	Budget			2
			<u>2,025.88</u>					
25-00612	05/13/25	4 ***WIRED***JUNE 2025 SRVCS	327,749.95	201 HELIOS WAY 5-09-55-504-200 Electric Purchased Power	Budget	Aprv	63	1
			<u>327,749.95</u>					
25-00885	07/15/25	1 CIRCUIT FIT INSTR-APR-MAY-JUNE	420.00	124 CLARK STREET T-13-56-370-961 Gymnastics	Budget	Aprv	206	1
			<u>420.00</u>					
25-00767	06/23/25	1 84 & 86 ARCH STREET	900.00	25 WESTWOOD AVE D-19-55-100-473 JOE LAPLACA	Budget	Aprv	111	1
25-00767	07/10/25	2 84 & 86 ARCH STREET	412.50	D-19-55-100-473 JOE LAPLACA	Budget	Aprv	112	1
			<u>1,312.50</u>					
25-00881	07/15/25	1 TROPHY	150.00	ATTN: LYN LOWNDES T-13-56-370-967 Miscellaneous	Budget	Aprv	202	1
			<u>150.00</u>					
25-00446	07/11/25	6 07870-397169-01-4-FD-JULY'25	12.23	PO BOX 70340 5-01-25-265-205 FIRE Phone	Budget	Aprv	21	1
			<u>12.23</u>					
25-00547	05/05/25	4 07870-711010-02-5-PD JULY B/PD	192.71	PO BOX 70340 5-01-25-240-550 POLICE Other Professional Fees	Budget	Aprv	31	1
			<u>192.71</u>					
25-00416	03/13/25	1 SUMMER REC TRIP-07/24/25	2,211.44	109 BROOKSIDE AVENUE T-13-56-370-953 Summer Rec Other	Budget	Aprv	19	1
			<u>2,211.44</u>					
25-00572	05/06/25	4 WIRED-JUNE '25 SERVICES****	253,402.56	GENERATION, LLC 5-09-55-504-200 Electric Purchased Power	Budget	Aprv	37	1

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 4

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
			253,402.56						
25-00830	07/08/25	1 HSC-3 H-PLY-ELEC #20	1,134.84	401 EAST LINDEN AVENUE	5-09-55-501-230	Budget	Aprv	159	1
			1,134.84	Electric Auto Parts/ Repair					
25-00788	06/25/25	1 DASKALOSKI-113&115 CAREY Ave	1,820.00	86 NEWARK POMPTON TPKE	D-19-55-100-481	Budget	Aprv	133	1
25-00834	07/08/25	1 HILLCREST AVE IMP	2,520.00	DAMJAN DASKALOSKI	5-01-20-165-510	Budget	Aprv	163	1
25-00834	07/08/25	2 ROAD OPENING PERMITS	640.00	ENGINEERING SERVICES	5-01-20-165-510	Budget	Aprv	164	1
25-00834	07/08/25	3 NJ DOT LOCAL AID GRANT	1,680.00	ENGINEERING SERVICES	5-01-20-165-510	Budget	Aprv	165	1
25-00834	07/08/25	4 GOGEL 27 SIEK AVE	280.00	ENGINEERING SERVICES	D-19-55-100-467	Budget	Aprv	166	1
25-00834	07/08/25	5 SPELLMAN-60 SUNSET AVE	420.00	MICHAEL GOGEL	D-19-55-100-483	Budget	Aprv	167	1
25-00834	07/08/25	6 MONTENA 14 GORMLEY LANE	280.00	James M Spellmon Jr	D-19-55-100-458	Budget	Aprv	168	1
25-00834	07/08/25	7 MEETING ATTENDANCE-5/15/25	280.00	CYNTHIA MONTENA	5-01-20-165-510	Budget	Aprv	169	1
25-00834	07/08/25	8 LAPLACA-84 ARCH STREET	140.00	ENGINEERING SERVICES	D-19-55-100-473	Budget	Aprv	170	1
25-00834	07/08/25	9 CAUGHEY-114-116 TERRACE AVE	980.00	JOE LAPLACA	D-19-55-100-463	Budget	Aprv	171	1
25-00834	07/08/25	10 TEAM LEGACY GROUP=37 DECKER	280.00	WENDY CAUGHEY	D-19-55-100-463	Budget	Aprv	172	1
			9,320.00	WENDY CAUGHEY					
25-00610	05/13/25	4 MTHLY PHONE REIMBUR-JULY'25	50.00	714 MAIN STREET	5-09-55-500-205	Budget	Aprv	62	1
			50.00	Electric Postage & Phone					
25-00801	06/27/25	1 PROFESSIONAL SRVCS-I#22443	246.50	26 TERRACE AVE	5-01-20-155-500	Budget	Aprv	145	1
			246.50	LEGAL SERVICES					
25-00875	07/14/25	1 first aid cards for counselors	200.00	T-13-56-370-650	5-01-26-315-230	Budget	Aprv	200	1
			200.00	StonyBrook Other					
25-00766	06/23/25	1 WHEEL ALIGNMENT-RDS	75.00	375 SOUTH DEAN ST	5-01-26-315-230	Budget	Aprv	109	1
25-00766	06/23/25	3 TIRE/BALANCE/MOUNT-RDS	914.76	VEH MAINT. Roads / Auto Parts	5-01-26-315-230	Budget	Aprv	110	1
				VEH MAINT. Roads / Auto Parts					

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 5

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
			989.76						
25-00583	07/15/25	EUR01 EUROPEAN T.M. CORPORATION		CLEANING SERVICE					
05/08/25	4	MTHLY CLEANING SRVC-MUSEUM-JUN	200.00	5-01-29-391-630	Budget	Aprv	46	1	
			200.00	MUSEUM Cleaning and Facility Maintena					
25-00887	07/15/25	FIE01 JUDITH P. FIELDS		56 MYRTLE AVENUE					
07/15/25	1	WHISTLES REIMB	46.62	5-01-28-370-250	Budget	Aprv	208	1	
			46.62	RECREATION Other Supplies					
25-00530	07/15/25	FRANKLIN FRANKLIN SUSSEX AUTOMALL, INC		315 ROUTE 23					
04/30/25	1	AUTO REPAIRS FOR PD-#332	2,649.51	5-01-26-315-271	Budget	Aprv	22	1	
			2,649.51	VEH MAINT. Police / Veh Maint & Repairs					
25-00873	07/15/25	GAN03 GANNETT NEW YORK/NEW JERSEY		LOCALIQ					
07/11/25	1	11401866	45.88	5-01-20-120-520	Budget	Aprv	193	1	
				CLERK Advertising					
25-00873	07/11/25	3 11412272	47.76	5-01-25-240-550	Budget	Aprv	194	1	
				POLICE Other Professional Fees					
25-00873	07/11/25	4 11429120	7.75	5-01-20-120-520	Budget	Aprv	195	1	
				CLERK Advertising					
25-00873	07/11/25	5 11429142	17.05	5-01-20-120-520	Budget	Aprv	196	1	
				CLERK Advertising					
25-00873	07/11/25	6 11429156	17.67	5-01-20-120-520	Budget	Aprv	197	1	
				CLERK Advertising					
25-00873	07/11/25	7 11429181	20.15	5-01-20-120-520	Budget	Aprv	198	1	
				CLERK Advertising					
25-00873	07/11/25	8 11429206	17.98	5-01-20-120-520	Budget	Aprv	199	1	
			174.24	CLERK Advertising					
25-00658	07/15/25	GEN08 GENESIS CLEANING SERVICES LLC		243 SECOND STREET					
05/22/25	7	MONTHLY CLEANING SERVICES-JULY	1,707.00	5-01-26-310-550	Budget	Aprv	74	1	
				B&G Contracted Services					
25-00658	05/22/25	8 MONTHLY CLEANING SERVICES-JULY	569.00	5-05-55-501-630	Budget	Aprv	75	1	
				WATER OPS Cleaning & Facility Maintena					
25-00658	05/22/25	9 MONTHLY CLEANING SERVICES-JULY	569.00	5-09-55-500-630	Budget	Aprv	76	1	
			2,845.00	Electric Cleaning & Facility Maintenance					
25-00829	07/15/25	GMI01 GMIS INTERNATIONAL		PO BOX 1056					
07/08/25	1	LEVEL ONE-MBRSH-07/01-06/30	125.00	5-01-26-310-575	Budget	Aprv	158	1	
			125.00	B&G IT Contracts and Services					
25-00809	07/15/25	GOL04 GOLDEN NOTE ENTERTAINMENT		324 HAMBURG TURNPIKE					
07/01/25	1	'25 NIGHT OUT NAT'L EVENT-PD	400.00	5-09-55-505-550	Budget	Aprv	154	1	
			400.00	Electric Other Professional Fees					

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 6

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description			Description				
25-00869	07/10/25	1 TAX REIMB-BLK37 LOT 47-VETERAN	4,485.30	46 VALLEY ROAD	Z-01-55-900-215	Budget	Aprv	183	1
			4,485.30		Tax Overpayments Payable				
25-00807	07/01/25	1 '25 EYECARE REIMB	400.00	58 DEERFIELD DRIVE	5-01-23-220-900	Budget	Aprv	150	1
			400.00		Group Health Insurance				
25-00031	01/14/25	2 '25 QTRLY CELL REIMB	120.00	12 ORCHARD ROAD	5-01-20-120-530	Budget	Aprv	9	1
			120.00		CLERK Cell Phone Reimbursement				
25-00762	06/23/25	1	1,356.70	2207 COLLECTIONS CNTR DR.	5-05-55-501-580	Budget	Aprv	104	1
			1,356.70		WATER OPER OPS LAB CONSUMABLES				
25-00580	05/08/25	16 MTHLY LAWNS MAINT-JULY-5 OF 10	771.40	79 FISK ROAD	5-09-55-500-550	Budget	Aprv	42	1
					Electric Other Professional Fees				
25-00580	05/08/25	17 MTHLY LAWNS MAINT-JULY-5 OF 10	385.70		5-05-55-500-550	Budget	Aprv	43	1
					WATER ADMINISTR Other Professional Fees				
25-00580	05/08/25	18 MTHLY LAWNS MAINT-JULY-5 OF 10	2,699.90		5-01-26-310-550	Budget	Aprv	44	1
					B&G Contracted Services				
25-00581	05/08/25	6 LAWN MAINT-STONYBROOK-JULY-#5	1,100.00		5-01-28-370-430	Budget	Aprv	45	1
					RECREATION Maintenance and Repairs				
25-00835	07/08/25	1 EXTRA CUT MANNING AVE-5/27/25	320.00		5-01-26-310-550	Budget	Aprv	173	1
			5,277.00		B&G Contracted Services				
25-00806	07/01/25	1 TOILET FOR STONYBROOK	232.00	PO BOX 217	5-01-26-310-430	Budget	Aprv	149	1
			232.00		B&G Facility Maint & Repairs				
25-00862	07/09/25	1 WEATHERTECH FLOOR MAT-#29	69.49	AND ACCESSORIES	5-09-55-501-230	Budget	Aprv	178	1
					Electric Auto Parts/ Repair				
25-00862	07/09/25	2 ALUM BLK CHEST/TOOL BOX-#29	1,089.48		5-09-55-501-230	Budget	Aprv	179	1
			1,158.97		Electric Auto Parts/ Repair				
25-00811	07/01/25	1 REC TRIP -52 CHILDREN	884.00	PO BOX 159	T-13-56-370-650	Budget	Aprv	156	1
			884.00		StonyBrook Other				
	07/15/25	HOM01 HOME DEPOT CREDIT SERVICES		DEPT 32-2014851178					

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 7

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
25-00620	05/13/25	3 B&G SUPPLIES	124.14	5-01-26-310-430	Budget	Aprv	69	1
			124.14	B&G Facility Maint & Repairs				
25-00185	06/24/25	8 *DENTAL*40/40/20-WIRED-JUL'25	514.80	5-01-23-220-900	Budget	Aprv	16	1
			514.80	Group Health Insurance				
			257.40	5-09-55-507-900	Budget			2
				ELECTRIC GROUP HEALTH INS				
				5-05-55-507-900	Budget			3
			1,287.00	WATER GROUP HEALTH INSURANCE				
25-00672	05/28/25	1 FP Printer NJS Contract#T3083	1,492.00	5-01-25-240-405	Budget	Aprv	86	1
			1,492.00	POLICE IT Contracts and Services				
25-00763	06/23/25	1 CLOTHING-KYLE VERDUIN	179.94	5-01-26-290-635	Budget	Aprv	105	1
			179.94	STREETS & ROADS Uniform Reimbursements				
25-00888	07/15/25	1 REIMB FOR VAR ITEMS	1,231.96	5-01-26-290-635	Budget	Aprv	105	1
			1,231.96	STREETS & ROADS Uniform Reimbursements				
25-00884	07/15/25	1 BUS TO HAWTHORNE THEATER 6/25	415.00	5-01-26-290-635	Budget	Aprv	105	1
			415.00	STREETS & ROADS Uniform Reimbursements				
25-00569	05/06/25	3 TRANSLATION SRVCS #9020110053	6.00	5-01-25-240-550	Budget	Aprv	34	1
			38.30	POLICE Other Professional Fees				
25-00569	05/06/25	4 TRANSLATION SRVCS #9020110053	44.30	5-01-25-240-550	Budget	Aprv	35	1
				POLICE Other Professional Fees				
25-00436	03/25/25	1 SR TRIP FOR WIND CREEK CASINO	1,300.00	5-01-28-385-550	Budget	Aprv	20	1
			1,300.00	SENIORS ADVISORY Celebrations & Parties				
25-00831	07/08/25	1	59.12	5-09-55-501-250	Budget	Aprv	160	1
			59.12	Electric Distribution Supplies				
25-00760	06/18/25	1 AED MED DATA CARD-PD	173.40	5-01-25-240-430	Budget	Aprv	101	1

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 8

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
25-00760	06/18/25	2 ADMIN FEE-E-CARDS-PD	19.50	POLICE Maintenance and Repairs 5-01-25-240-610	Budget	Aprv	102	1
25-00760	06/18/25	3 ADMIN FEE-E-CARDS-PD	6.50	POLICE Education and Training 5-01-25-240-610	Budget	Aprv	103	1
			<u>199.40</u>	POLICE Education and Training				
25-00619	07/15/25	LOW04 LOWE'S		P. O. BOX 669821				
25-00619	05/13/25	7 CCRT REP/BOLTS/KEY/LAMP-B&G	345.44	5-01-26-310-430	Budget	Aprv	66	1
25-00619	07/07/25	8 MISC WATER SUPPLIES	150.66	B&G Facility Maint & Repairs 5-05-55-501-201	Budget	Aprv	67	1
25-00619	07/07/25	9 FLOOR FAN-ELEC	70.28	WATER OPER OPS PLANT SUPPLIES 5-09-55-501-550	Budget	Aprv	68	1
			<u>566.38</u>	Electric Sub Station Maintenance				
25-00585	07/15/25	MAR02 MURPHY MCKEON, PC		901 ROUTE 23 SOUTH				
25-00585	05/09/25	13 JULY '25 RETAINER FEES	1,458.32	5-01-20-155-500	Budget	Aprv	47	1
25-00585	05/09/25	14 JULY '25 RETAINER FEES	1,875.01	LEGAL SERVICES 5-09-55-500-500	Budget	Aprv	48	1
25-00585	05/09/25	15 JULY '25 RETAINER FEES	833.34	Electric Legal Fees 5-05-55-500-500	Budget	Aprv	49	1
25-00585	05/09/25	16 LEGAL SRVCS	1,065.00	WATER ADMINISTR Legal Fees 5-01-20-155-500	Budget	Aprv	50	1
			<u>5,231.67</u>	LEGAL SERVICES				
25-00891	07/15/25	MAS07 DANIEL MASIN		81 BARTOLDI AVENUE				
25-00891	07/15/25	1 REIMB FOR FOOD	246.58	5-01-26-290-210	Budget	Aprv	211	1
			<u>246.58</u>	STREETS & ROADS Food/Catering				
25-00769	07/15/25	MGL01 M G L PRINTING SOLUTIONS		154 SOUTH ST				
25-00769	06/23/25	1 CLAIM CHECKS	146.80	5-09-55-500-525	Budget	Aprv	114	1
			146.80	Electric Printing 5-01-20-100-525	Budget			2
			76.40	A&E Printing 5-05-55-500-525	Budget			3
25-00769	06/23/25	2 SHIPPING	14.00	WATER ADMINISTR Printing 5-09-55-500-525	Budget	Aprv	115	1
			14.00	Electric Printing 5-01-20-100-525	Budget			2
			7.00	A&E Printing 5-05-55-500-525	Budget			3
			<u>405.00</u>	WATER ADMINISTR Printing				
25-00011	07/15/25	MOR02 MORRIS COUNTY - TREASURER		GLENN C. ROE				
25-00011	06/26/25	5 COUNTY TAX ASSESSMENT-QTR 3	780,288.24	Z-01-55-900-212	Budget	Aprv	4	1
				County Taxes Payable				
25-00011	06/26/25	6 DEDICATED OPEN SPACE/PARK TAX	20,378.59	Z-01-55-900-212	Budget	Aprv	5	1
				County Taxes Payable				

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 9

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
			800,666.83					
25-00880	07/15/25	MOR03 MORRIS COUNTY LEAGUE OF 1 '25 leag of municipalities due	100.00	MUNICIPALITIES 5-01-20-120-620	Budget	Aprv	201	1
			100.00	CLERK Professional Licences and Dues				
25-00615	07/15/25	MOR04 MORRIS COUNTY MUNICIPAL 4 CONSUMPTION/TIPPING FEES-JUNE	33,758.25	UTILITIES AUTHORITY 5-01-26-305-342	Budget	Aprv	64	1
			33,758.25	G&T GARBAGE TIPPING FEES				
25-00772	07/15/25	MOR05 MORRIS COUNTY PUBLIC SAFETY 1 TRAINING GROUNDS USAGE-FD	100.00	TRAINING ACADEMY 5-01-25-265-610	Budget	Aprv	117	1
			100.00	FIRE Education and Training				
25-00832	07/15/25	MUN04 MUNICIPAL CLERKS ASSOCIATION 1 MEMBERSHIP FEE-CLERK	100.00	OF NEW JERSEY, INC 5-01-20-120-620	Budget	Aprv	161	1
			100.00	CLERK Professional Licences and Dues				
25-00538	07/15/25	MUN14 MUNICIPAL CAPITAL 4 CONTRACT #40064193-#52 OF 60	99.52	PO BOX 458 5-09-55-500-201	Budget	Aprv	26	1
25-00686	07/15/25	MUN14 MUNICIPAL CAPITAL 3 CONTRACT #40108342-PAYMENT #34	88.04	Electric Office Supplies 5-01-25-240-201	Budget	Aprv	89	1
			187.56	POLICE Office Supplies				
25-00781	07/15/25	NIS01 NISIVOCCIA & COMPANY LLP 1 PROF SRVCS THROUGH FEB'25	10,920.00	CERTIFIED PUBLIC ACCTS 5-09-55-500-505	Budget	Aprv	126	1
25-00839	07/15/25	NIS01 NISIVOCCIA & COMPANY LLP 1 2024 AUDIT SERVICES	12,960.00	Electric Auditing Fees 5-05-55-500-505	Budget	Aprv	176	1
			44,840.00	WATER ADMINSTR Auditing Fees 5-01-20-135-505	Budget			2
			4,200.00	AUDIT SERVICES 5-09-55-500-505	Budget			3
			72,920.00	Electric Auditing Fees				
25-00608	07/15/25	NIS02 NISC - NATIONAL INFORMATION 7 MISC JUNE '25 SERVICES	6,153.31	SOLUTIONS COOPERATIVE 5-09-55-500-535	Budget	Aprv	60	1
25-00608	07/15/25	NIS02 NISC - NATIONAL INFORMATION 8 RECURRING JUNE '25 SERVICES	10,410.59	Electric NISC FEES 5-09-55-500-530	Budget	Aprv	61	1
			16,563.90	Electric NISC MAINTENANCE				
25-00604	07/15/25	NJD01 NJ STATE DEPT OF HEALTH 4 MTHLY DOG LICENSE REPORT-MAY	17.40	VETERINARY PUBLIC HEALTH T-12-55-340-205	Budget	Aprv	59	1
			17.40	Due to State of NJ Dog Fees				

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 10

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
25-00886	07/15/25	NOA01 NOAH'S ARK PORT A JONS 1 1 HANDICAP UNIT	180.00	M & B SEPTIC SERVICE LLC T-13-56-370-650 StonyBrook Other	Budget	Aprv	207	1
			180.00					
25-00413	07/15/25	NOR31 NORTHEAST COMMUNICATIONS, INC 1 NEW CAR EQUIPMENT-#333-PD	20,031.28	244 EAST UNION TURNPIKE 5-01-25-240-410 POLICE Automobiles	Budget	Aprv	18	1
25-00676	05/29/25	1 NEW PAGERS WITH DISPTCH S/UP	3,493.80	5-01-25-265-400 FIRE Communication Equipment	Budget	Aprv	87	1
25-00676	05/29/25	2 FREIGHT	40.00	5-01-25-265-400 FIRE Communication Equipment	Budget	Aprv	88	1
25-00774	06/23/25	1 MICROPHONE/LABOR-PD	330.00	5-01-25-240-410 POLICE Automobiles	Budget	Aprv	119	1
25-00774	06/23/25	2 FACEPLATE/JOTTO MAG MIC CLIP-	650.62	5-01-25-240-410 POLICE Automobiles	Budget	Aprv	120	1
			24,545.70					
25-00866	07/15/25	NYN01 NY-NJ TRAILER SUPPLY 1 DIODE KIT/BACK UP LED-RDS	68.56	1401 ROUTE 23 SOUTH 5-01-26-315-230 VEH MAINT. Roads / Auto Parts	Budget	Aprv	181	1
			68.56					
25-00765	07/15/25	NYS01 N.Y. S&W RAILWAY CORPORATION 1 ANN'L FEE FOR LIC FOR NJ222	1,013.30	1 RAILROAD AVENUE 5-09-55-500-550 Electric Other Professional Fees	Budget	Aprv	108	1
			1,013.30					
25-00545	07/15/25	ONE03 ONE CALL CONCEPTS, INC 4 REGULAR LOCATES-JUNE '25 SRVC	332.50	7223 PARKWAY DRIVE 5-09-55-501-430 Electric Maintenance and Repairs	Budget	Aprv	27	1
			332.50					
25-00725	07/15/25	PAC03 PACE ANALYTICAL SERVICES LLC 1 DRINKING WATER/TEST	275.00	P.O. BOX 684056 5-05-55-501-560 WATER OPER OPS WATER SAMPLING/ TESTING	Budget	Aprv	93	1
25-00776	06/23/25	1 WATER/SAMPLING INVOICES	226.00	5-05-55-501-560 WATER OPER OPS WATER SAMPLING/ TESTING	Budget	Aprv	122	1
25-00776	06/23/25	2 WATER/SAMPLING INVOICES	223.00	5-05-55-501-560 WATER OPER OPS WATER SAMPLING/ TESTING	Budget	Aprv	123	1
25-00789	06/25/25	1 testing water	598.00	5-05-55-501-560 WATER OPER OPS WATER SAMPLING/ TESTING	Budget	Aprv	134	1
25-00838	07/08/25	1 WASTEWATER	65.00	5-05-55-501-570 WATER OPER OPS DEP COMPLIANCE	Budget	Aprv	175	1
			1,387.00					
25-00803	07/15/25	PEE01 PEERLESS CONCRETE PROD, CO 1 concrete transformer pad	2,350.00	246 MAIN STREET 5-09-55-501-250 Electric Distribution Supplies	Budget	Aprv	146	1
			2,350.00					
	07/15/25	PEQ01 PEQUANNOCK RIVER BASIN		REGIONAL SEWERAGE AUTHORITY				

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 11

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status Seq	Acct
25-00146	06/19/25	3 QTR 3 PAYMENT **WIRED****	564,513.00	5-01-31-455-350 Sewer PRBRSA	Budget	Aprv 15	1
			564,513.00				
25-00214	06/25/25	5 WIRED POSTAGE*****06/25/25	5,000.00	PO BOX 223648 5-09-55-500-205 Electric Postage & Phone	Budget	Aprv 17	1
			750.00	5-05-55-500-205 WATER ADMINISTR Postage & Phone	Budget		2
			750.00	5-01-20-100-205 A&E Postage	Budget		3
			500.00	5-01-42-750-200 BLOOMINDALE WATER OE	Budget		4
			500.00	5-01-42-905-200 RIVERDALE TAX COLLECTIONS OE	Budget		5
			7,500.00				
25-00744	06/26/25	2 WIRED-06/01-06/11/25	103,095.40	955 JEFFERSON AVE 5-09-55-504-200 Electric Purchased Power	Budget	Aprv 94	1
25-00744	06/26/25	3 WIRED-06/01-06/18/25	91,714.26	5-09-55-504-200 Electric Purchased Power	Budget	Aprv 95	1
25-00744	07/01/25	4 WIRED-06/01-06/25/25	259,071.81	5-09-55-504-200 Electric Purchased Power	Budget	Aprv 96	1
25-00744	07/08/25	5 WIRED-06/01-06/30/25	174,412.23	5-09-55-504-200 Electric Purchased Power	Budget	Aprv 97	1
25-00840	07/08/25	1 **WIRED**07-01 TO 07-02-25	30,227.31	5-09-55-504-200 Electric Purchased Power	Budget	Aprv 177	1
			658,521.01				
25-00871	07/10/25	1 SETTLEMENT	248,541.03	955 JEFFERSON AVE 5-09-55-504-200 Electric Purchased Power	Budget	Aprv 188	1
			248,541.03				
25-00779	06/23/25	1 POLLARA JOHN POLLARA	54.86	5-09-55-501-250 Electric Distribution Supplies	Budget	Aprv 125	1
			54.86				
25-00773	06/23/25	1 SERVICES FOR PD	60.00	NORTHERN NEW JERSEY OFFICE 5-01-25-240-430 POLICE Maintenance and Repairs	Budget	Aprv 118	1
			60.00				
25-00687	06/02/25	3 FIREMAN LIFE PREMIUMS-JULY'25	2,311.98	REF# 14714 5-01-23-212-915 Fireman's	Budget	Aprv 90	1
			2,311.98				
25-00616	05/13/25	4 '25 PURCHASED POWER-JUNE	45,528.52	5-09-55-504-200	Budget	Aprv 65	1

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 12

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description			Description				
			45,528.52	Electric Purchased Power					
07/15/25 RER01 RER SUPPLY				5130 PARKWAY PLAZA					
25-00872	07/11/25	1 DISPOSAL CO-MINGLED-#60800	735.00	5-01-26-305-341	Budget	Aprv	189	1	
				G&T RECYCLING/ YARD WASTE					
25-00872	07/11/25	2 DISPOSAL CO-MINGLED-#59474	693.00	5-01-26-305-341	Budget	Aprv	190	1	
				G&T RECYCLING/ YARD WASTE					
25-00872	07/11/25	3 BLACK DYED MULCH-#59685	137.50	5-01-41-725-250	Budget	Aprv	191	1	
				CLEAN COMMUNITIES Other Supplies					
25-00872	07/11/25	4 DISPOSAL CO-MINGLED-#60071	672.00	5-01-26-305-341	Budget	Aprv	192	1	
			2,237.50	G&T RECYCLING/ YARD WASTE					
07/15/25 RIC01 JEFFREY W. RICKER				56 SPRING STREET					
25-00659	05/22/25	3 PHONE ALLOWANCE-JULY '25	75.00	5-09-55-500-205	Budget	Aprv	77	1	
				Electric Postage & Phone					
25-00800	06/27/25	1 USB CARDS FOR NEW PRINTERS	17.04	5-09-55-501-500	Budget	Aprv	144	1	
			92.04	Electric Building Maintenance					
07/15/25 RIC03 SCOTT T. RICKER				27 HASBROUCK AVE					
25-00791	06/25/25	1 REIMB-PARKING FOR CONF MEETING	20.00	5-01-25-240-605	Budget	Aprv	137	1	
			20.00	POLICE Conferences					
07/15/25 RIC12 RICCIARDI BROTHERS, INC.				1273 ROUTE 23					
25-00752	06/16/25	1 BM L/FLOOR LIGHT GRAY-REC	67.99	5-01-26-310-430	Budget	Aprv	99	1	
			67.99	B&G Facility Maint & Repairs					
07/15/25 RUT03 RUTGERS, THE STATE UNIVERSITY				3 RUTGERS PLAZA					
25-00636	05/15/25	1 COURSE FOR JUNE 12TH-BILL B	245.00	5-01-21-185-405	Budget	Aprv	73	1	
			245.00	ZONING EDUCATION & TRAINING					
07/15/25 SCH01 DENNIS SCHLOSSER				27 ROOSEVELT BLVD					
25-00837	07/08/25	1 '25 EYECARE REIMBURSEMENT	387.00	5-01-23-220-900	Budget	Aprv	174	1	
			387.00	Group Health Insurance					
07/15/25 SHE16 SHEAFFER SUPPLY, INC.				292 ROUTE 46					
25-00865	07/09/25	1 NUT/DISC/LCKWSHR VAR PRTS-SHOP	490.34	5-09-55-501-230	Budget	Aprv	180	1	
			490.34	Electric Auto Parts/ Repair					
			490.34	5-01-26-315-270	Budget			2	
			490.34	VEH MAINT. Police / Auto Parts					
			163.44	5-01-26-315-230	Budget			3	
				VEH MAINT. Roads / Auto Parts					
				5-05-55-501-230	Budget			4	
			1,634.46	WATER OPER OPS Auto Parts					

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 13

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
07/15/25		SILVERSK SILVER SKY		BAE SYSTEMS, APPLIED INTELLIGENCE				
25-00660	05/22/25	7 MONTHLY SERVICING**June bill	1,274.81	5-01-25-240-405	Budget	Aprv	78	1
				POLICE IT Contracts and Services				
25-00660	05/22/25	8 MONTHLY SERVICING**June Bill	1,147.34	5-09-55-500-675	Budget	Aprv	79	1
				Electric IT Contracts and Services				
25-00660	05/22/25	9 MONTHLY SERVICING**June Bill	127.49	5-09-55-500-675	Budget	Aprv	80	1
				Electric IT Contracts and Services				
			2,549.64					
07/15/25		SMI09 KEITH SMITH		54 GLENCREST DRIVE				
25-00770	06/23/25	1 APRIL-MAY AND JUNE '25 REIMB	120.00	5-05-55-500-205	Budget	Aprv	116	1
				WATER ADMINISTR Postage & Phone				
			120.00					
07/15/25		SPE13 SPECTRASERV, INC.		75 JACOBUS AVE				
25-00768	06/23/25	1 RESIDUAL WASTEWATER	7,802.73	5-05-55-501-540	Budget	Aprv	113	1
				WATER OPER OPS Sludge Removal				
			7,802.73					
07/15/25		STA04 STATE OF NEW JERSEY, TREASURER		COMM AFFAIRS/DIV OF CODES				
25-00049	07/08/25	2 NJ QTRLY DCA FEES COLL'D-QTR 2	3,726.00	Z-01-55-900-213	Budget	Aprv	11	1
				DCA Building Fees Payable				
			3,726.00					
07/15/25		STA29 STAPLES						
25-00783	06/24/25	1 PRINTERS/STANDARD TONER-ELEC	2,334.16	5-09-55-501-275	Budget	Aprv	127	1
				Electric Tools & Equipment				
25-00783	07/10/25	2 BD ALUM FRAME	115.89	5-09-55-500-275	Budget	Aprv	128	1
				Electric Building Maintenance				
25-00783	07/10/25	3 3 HOLE COPY REAM/BLK BINDER	15.02	5-01-20-150-201	Budget	Aprv	129	1
				TAX ASSESSOR Office Supplies				
25-00783	07/10/25	4 TONERS FOR HEALTH	82.78	5-01-27-330-225	Budget	Aprv	130	1
				HEALTH Medical Supplies				
25-00783	07/10/25	5 YELLOW COVER STOCK-CLERK	11.77	5-01-20-120-201	Budget	Aprv	131	1
				CLERK Office Supplies				
25-00783	07/10/25	6 TONER FOR ELEC-PRINTER JEFF	132.44	5-09-55-501-275	Budget	Aprv	132	1
				Electric Tools & Equipment				
25-00804	07/11/25	1 tape/certf/chisel/fldr/wipe-pd	84.35	5-01-25-240-201	Budget	Aprv	147	1
				POLICE Office Supplies				
25-00804	07/11/25	2 broom and dust pan-pd	63.99	5-01-25-240-201	Budget	Aprv	148	1
				POLICE Office Supplies				
			2,840.40					
07/15/25		STA35 STATE OF NEW JERSEY		DIVISION OF PENSIONS & BENEFITS				
25-00631	05/15/25	10 HEALTH BENEFITS**WIRED***JULY	111,397.52	5-01-23-220-900	Budget	Aprv	70	1
				Group Health Insurance				
25-00631	05/15/25	11 HEALTH BENEFITS**WIRED***JULY	107,018.93	5-09-55-507-900	Budget	Aprv	71	1
				ELECTRIC GROUP HEALTH INS				
25-00631	05/15/25	12 HEALTH BENEFITS**WIRED***JULY	19,541.96	5-05-55-507-900	Budget	Aprv	72	1
				WATER GROUP HEALTH INSURANCE				
			237,958.41					

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 14

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
25-00868	07/09/25	07/15/25 STY02 JEFFREY STYMACKS 1 '25 eyecare reimbursement	280.00 <u>280.00</u>	104 SOUTH MAIN STREET 5-01-23-220-900 Group Health Insurance	Budget	Aprv	182	1
25-00023	07/10/25	07/15/25 TAY02 TAYLOR OIL COMPANY 12 FUEL USAGE JUNE RDS/FD-'25	1,134.38	PO BOX 974 5-01-31-460-315 Gasoline	Budget	Aprv	6	1
25-00023	07/10/25	13 FUEL USAGE JUNE ELEC-'25	3,403.12 <u>4,537.50</u>	5-09-55-500-315 Electric Gasoline & Diesel	Budget	Aprv	7	1
25-00883	07/15/25	07/15/25 THE27 MICHELE THEILER 1 VACUUM REIMB	159.93 <u>159.93</u>	20 NEW STREET 5-01-28-370-450 RECREATION Other Capital Equipment	Budget	Aprv	204	1
25-00808	07/01/25	07/15/25 TIG01 TIGRIS 2 MONITORING-SEABERT LANE	250.00	PO BOX 749738 5-05-55-501-570 WATER OPER OPS DEP COMPLIANCE	Budget	Aprv	151	1
25-00808	07/01/25	3 MONITORING-SEABERT LANE	900.74	5-05-55-501-570 WATER OPER OPS DEP COMPLIANCE	Budget	Aprv	152	1
25-00808	07/01/25	4 MONITORING-SEABERT LANE	900.71 <u>2,051.45</u>	5-05-55-501-570 WATER OPER OPS DEP COMPLIANCE	Budget	Aprv	153	1
25-00794	06/25/25	07/15/25 TIL01 TILCON NEW YORK INC. 1 P. LK ASPH-TICK #23812663	213.76	9 ENTIN ROAD 5-01-26-290-650 STREETS & ROADS Road Repair Materials	Budget	Aprv	138	1
25-00794	06/25/25	2 LIQ ASPH ADJ-#238401054	3.50 <u>217.26</u>	5-01-26-290-650 STREETS & ROADS Road Repair Materials	Budget	Aprv	139	1
25-00754	06/16/25	07/15/25 TITANCON TITAN CONSULT GROUP, LLC 3 CFO MONITOR SRVC-05/23-06/26	2,062.50 <u>2,062.50</u>	6 KINGSTON LANE 5-01-20-130-550 FINANCE Other Professional Fees	Budget	Aprv	100	1
25-00050	07/03/25	07/15/25 TOW01 TOWNSHIP OF PEQUANNOCK 4 '25-QTRLY DIAL A RIDE-JUL-SEPT	20,344.00 <u>20,344.00</u>	ATTN: FINANCE DEPARTMENT 5-01-27-365-550 SENIOR TRANSPORT Other Professional Fees	Budget	Aprv	12	1
25-00025	07/08/25	07/15/25 TRE13 TREASURER, STATE OF NJ 2 '25 QTRLY MARRIAGE FEES-QTR 2	250.00 <u>250.00</u>	DEPT OF CHILDREN AND FAMILIES 2-01-55-900-145 Due to State of NJ Marriage Lc	Budget	Aprv	8	1
25-00890	07/15/25	07/15/25 TREASURE TREASURER, COUNTY OF MORRIS 1 NEARMAP 2025 COST ASSESSMENT	937.50 <u>937.47</u>	DEPARTMENT OF FINANCE 5-01-26-310-575 B&G IT Contracts and Services	Budget	Aprv	210	1
				5-09-55-500-675	Budget			2

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 15

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
			937.53	Electric IT Contracts and Services 5-05-55-500-675	Budget			3
			<u>2,812.50</u>	WATER ADMINISTR IT Contracts & Services				
25-00893	07/15/25	07/15/25 UNIO2 UNITED PARCEL SERVICE 1 COURIER FEES-0000519R1A275	64.68	P.O. BOX 650116 5-01-20-120-205 CLERK Postage	Budget	Aprv	212	1
			<u>64.68</u>					
25-00576	05/08/25	07/15/25 UNIO9 UNIVAR USA INC. 7 CHLORINE NSF LIQ-53112600	1,184.40	62190 COLLECTIONS CENTER DRIVE 5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	38	1
25-00576	05/08/25	8 CHLORINE-53112601	990.00	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	39	1
25-00576	05/08/25	9 CHLORINE-53157167	660.00	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	40	1
25-00576	05/08/25	10 CHLORINE-53157165	1,184.40	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	41	1
25-00591	05/09/25	6 DELPAC INV# 53130684	7,250.90	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	51	1
25-00790	06/25/25	1 CAUSTIC SODA NSF LIQ-53112602	1,206.40	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	135	1
25-00790	07/14/25	2 CAUSTIC SODA NSF LIQ-53157164	1,287.60	5-05-55-501-235 WATER OPER OPS Chemicals	Budget	Aprv	136	1
			<u>13,763.70</u>					
25-00775	06/23/25	07/15/25 UNIO17 UNITED HEALTHCARE 1 KRUG-AUG-DEC'25-#329358472-11	1,933.75	PO BOX 371337 5-09-55-507-900 ELECTRIC GROUP HEALTH INS	Budget	Aprv	121	1
			<u>1,933.75</u>					
25-00796	06/26/25	07/15/25 USA01 USA BLUEBOOK 1 HACH SC4500 CONTROLLER	7,066.00	CUST #716463 W-06-55-702-550 ORD:2022-07:PURCH WATER EQUIPMENT-FUNDED	Budget	Aprv	141	1
25-00796	06/27/25	2 Shipping	38.05	W-06-55-702-550 ORD:2022-07:PURCH WATER EQUIPMENT-FUNDED	Budget	Aprv	142	1
			<u>7,104.05</u>					
25-00667	05/27/25	07/15/25 VER02 VERIZON WIRELESS 3 BILLING PD-05/14-06/13/25	200.60	PO BOX 408 5-09-55-500-205 Electric Postage & Phone	Budget	Aprv	85	1
25-00722	06/05/25	3 882505152-00001-JUNE BILL	743.19	5-09-55-500-205 Electric Postage & Phone	Budget	Aprv	92	1
			<u>943.79</u>					
25-00665	05/27/25	07/15/25 VER03 VERIZON 7 450-717-227-0001-83	140.30	P.O. BOX 16801 5-09-55-500-205 Electric Postage & Phone	Budget	Aprv	81	1
25-00665	05/27/25	8 450-717-227-0001-83	124.69	5-01-31-440-300 Telephone	Budget	Aprv	82	1
25-00665	05/27/25	9 450-717-227-0001-83	46.77	5-05-55-500-205	Budget	Aprv	83	1

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 16

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description			Description				
25-00666	05/27/25	3 JUNE BILL-250-717-044-0001-11	13.10	WATER ADMINISTR Postage & Phone	5-09-55-500-205	Budget	Aprv	84	1
			324.86	Electric Postage & Phone					
25-00750	06/16/25	1 DUMPING FEE/30 YARD-06/05/25	450.00	39 ALABAMA AVE	5-02-55-710-008	Budget	Aprv	98	1
			450.00	RECYCLING TONNAGE GRANT					
25-00833	07/08/25	1 '25 CLOTHING ALLOWANCE	70.31	2 MAPLE ROAD	5-09-55-500-635	Budget	Aprv	162	1
			23.44	Electric Uniform Reimbursements	5-05-55-501-635	Budget			2
			93.75	Uniform Reimbursements					
25-00764	06/23/25	1 SPRING SRVC REPL RTRY HEAD-BPK	545.00	10 STAR LAKE ROAD	5-01-26-310-430	Budget	Aprv	106	1
25-00764	06/23/25	2 SPRING SRVC-REPL BKFLW CPNT-BH	335.00	B&G Facility Maint & Repairs	5-01-26-310-430	Budget	Aprv	107	1
			880.00	B&G Facility Maint & Repairs					
25-00795	06/26/25	1 2-IN SEC CONN/2"WP CONN/ROMX	112.31	255 WEST PARKWAY	5-09-55-501-250	Budget	Aprv	140	1
			112.31	Electric Distribution Supplies					
25-00778	06/23/25	1 GRANULAR SORBENT VOL ABSORBED	364.50	DEPT. 827510512	5-01-25-265-430	Budget	Aprv	124	1
			364.50	FIRE Maintenance and Repairs					

Checks:	<u>Count</u>	<u>Line Items</u>	<u>Amount</u>
	115	212	3,512,947.74

There are NO errors or warnings in this listing.

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	5-01	856,916.94	0.00	0.00	856,916.94
	5-02	450.00	0.00	0.00	450.00
FUND 05	5-05	75,187.70	0.00	0.00	75,187.70
ELECTRIC UTILITY OPERATING	5-09	<u>1,702,875.73</u>	<u>0.00</u>	<u>0.00</u>	<u>1,702,875.73</u>
Year Total:		2,635,430.37	0.00	0.00	2,635,430.37
	D-19	5,512.50	0.00	0.00	5,512.50
	T-12	17.40	0.00	0.00	17.40
TRUST FUND	T-13	<u>6,392.40</u>	<u>0.00</u>	<u>0.00</u>	<u>6,392.40</u>
Year Total:		6,409.80	0.00	0.00	6,409.80
WATER UTILITY CAPITAL FUND	W-06	7,104.05	0.00	0.00	7,104.05
NON BUDGET SECTION	Z-01	810,156.02	0.00	0.00	810,156.02
ELECTRIC OVERPAYMENTS	Z-09	<u>48,335.00</u>	<u>0.00</u>	<u>0.00</u>	<u>48,335.00</u>
Year Total:		858,491.02	0.00	0.00	858,491.02
Total of All Funds:		<u>3,512,947.74</u>	<u>0.00</u>	<u>0.00</u>	<u>3,512,947.74</u>

G/L Posting Summary

Account	Description	Debits	Credits
5-01-101-01-002-020	Cash - Claims 7378002584	0.00	1,666,935.46
5-01-117-04-000-001	Gas-School & Triboro Receivabl	1,027.89	0.00
5-01-201-20-000-000	Current Appropriations	856,916.94	0.00
5-01-205-55-000-001	Current Tax Overpayments	4,485.30	0.00
5-01-208-55-000-000	County Taxes Payable	800,666.83	0.00
5-01-260-05-000-008	DUE TO STATE & FED GRANT FUND	0.00	137.50
5-01-290-55-000-001	Due to State-DCA Building Fees	3,726.00	0.00
5-01-290-55-000-002	Marriage License Fee Due State	<u>250.00</u>	<u>0.00</u>
	Totals for Fund 5-01 :	1,667,072.96	1,667,072.96
5-02-213-41-710-008	AP RES Recycling Tonnage	450.00	0.00
5-02-260-05-000-020	DUE TO CLAIMS	<u>0.00</u>	<u>450.00</u>
	Totals for Fund 5-02 :	450.00	450.00
5-05-201-20-000-000	Water Utility Appropriations	75,187.70	0.00
5-05-260-05-000-020	Due To Claims Account	<u>0.00</u>	<u>75,187.70</u>
	Totals for Fund 5-05 :	75,187.70	75,187.70
5-06-216-55-500-001	IMPROVEMENT AUTHORIZATIONS-FUNDED	7,104.05	0.00
5-06-260-05-000-020	DUE TO CLAIMS ACCOUNT	<u>0.00</u>	<u>7,104.05</u>
	Totals for Fund 5-06 :	7,104.05	7,104.05
5-09-201-20-000-000	Current Appropriations	1,702,875.73	0.00

July 15, 2025
10:52 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 18

Totals by Year-Fund
Fund Description

Fund	Budget Total	Revenue Total	G/L Total	Total
5-09-204-55-100-001	A/P CONSTELLATION - Purchase Power	48,335.00	0.00	
5-09-260-05-000-020	Due To Claims Account	<u>0.00</u>	<u>1,751,210.73</u>	
	Totals for Fund 5-09 :	1,751,210.73	1,751,210.73	
5-12-260-05-000-001	Due To Current Fund	0.00	17.40	
5-12-290-56-000-001	Due to State of NJ Dog Fees	<u>17.40</u>	<u>0.00</u>	
	Totals for Fund 5-12 :	17.40	17.40	
5-20-260-05-000-020	Due To Claims	0.00	11,904.90	
5-20-286-56-850-815	Recreation Trust	6,392.40	0.00	
5-20-286-56-850-816	Developers Escrow	<u>5,512.50</u>	<u>0.00</u>	
	Totals for Fund 5-20 :	11,904.90	11,904.90	
	Grand Total:	<u>3,512,947.74</u>	<u>3,512,947.74</u>	

July 15, 2025,
11:09 AM

BOROUGH OF BUTLER
Check Register By Check Id

Page No: 1

Range of Checking Accts: CLAIMS to CLAIMS Range of Check Ids: 65701 to 65702
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
65701	07/15/25	BUT04 BUTLER SCHOOL BOARD					5265
25-00006	7	SCHOOL TAX LEVY-JULY	1,711,051.66	Z-01-55-900-210 School Taxes Payable	Budget		2 1
65702	07/15/25	BUT04 BUTLER SCHOOL BOARD					5265
25-00006	6	DEBT SERVICE-JULY	401,526.50	Z-01-55-900-210 School Taxes Payable	Budget		1 1

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	2	0	2,112,578.16	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	2,112,578.16	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
NON BUDGET SECTION	Z-01	2,112,578.16	0.00	0.00	2,112,578.16
Total of All Funds:		<u>2,112,578.16</u>	<u>0.00</u>	<u>0.00</u>	<u>2,112,578.16</u>

July 15, 2025
10:40 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 1

Batch Id: RD Batch Type: C Batch Date: 07/15/25 Checking Account: CLAIMS G/L Credit: Budget G/L Credit
Generate Direct Deposit: N

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
25-00841	07/09/25	07/15/25 ACKERMAN DENNIS ACKERMAN 1 '25 RETENTION PROGRAM-FD	581.00	48 BARTHOLDI AVE	5-01-25-265-650	Budget	Aprv	1	1
			581.00	FIRE INCENTIVE PROGRAM					
25-00842	07/09/25	07/15/25 DEC02 THOMAS DECKER 1 '25 RETENTION PROGRAM-FD	658.00	17 MYRTLE AVENUE	5-01-25-265-650	Budget	Aprv	2	1
			658.00	FIRE INCENTIVE PROGRAM					
25-00856	07/09/25	07/15/25 DELFINO ROCHA DELFINO 1 '25 RETENTION PROGRAM-FD	385.00	280 MACOPIN RD.	5-01-25-265-650	Budget	Aprv	16	1
			385.00	FIRE INCENTIVE PROGRAM					
25-00843	07/09/25	07/15/25 DRA07 STEVE DRADA 1 '25 RETENTION PROGRAM-FD	728.00	16 HILLCREST AVE	5-01-25-265-650	Budget	Aprv	3	1
			728.00	FIRE INCENTIVE PROGRAM					
25-00845	07/09/25	07/15/25 DUN03 WILLIAM DUNLAP 1 '25 RETENTION PROGRAM-FD	266.00	24 TERRACE AVE	5-01-25-265-650	Budget	Aprv	5	1
			266.00	FIRE INCENTIVE PROGRAM					
25-00844	07/09/25	07/15/25 DUN09 MICHAEL DUNLAP 1 '25 RETENTION PROGRAM-FD	392.00	5-01-25-265-650	5-01-25-265-650	Budget	Aprv	4	1
			392.00	FIRE INCENTIVE PROGRAM					
25-00861	07/09/25	07/15/25 FIN08 SUZANNE FINELLI 1 '25 RETENTION PROGRAM-FD	308.00	172 KIEL AVE	5-01-25-265-650	Budget	Aprv	21	1
			308.00	FIRE INCENTIVE PROGRAM					
25-00846	07/09/25	07/15/25 FIN09 CHRIS FINELLI 1 '25 RETENTION PROGRAM-FD	1,435.00	172 KIEL AVE	5-01-25-265-650	Budget	Aprv	6	1
			1,435.00	FIRE INCENTIVE PROGRAM					
25-00847	07/09/25	07/15/25 FIN10 KYLE FINELLI 1 '25 RETENTION PROGRAM-FD	1,358.00	172 KIEL AVE	5-01-25-265-650	Budget	Aprv	7	1
			1,358.00	FIRE INCENTIVE PROGRAM					
25-00848	07/09/25	07/15/25 FIN11 MARK FINELLI 1 '25 RETENTION PROGRAM-FD	1,197.00	172 KIEL AVE	5-01-25-265-650	Budget	Aprv	8	1
			1,197.00	FIRE INCENTIVE PROGRAM					

July 15, 2025
10:40 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 2

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
25-00849	07/09/25	1 '25 RETENTION PROGRAM-FD	798.00	90 ORCH STREET	5-01-25-265-650	Budget	Aprv	9	1
			<u>798.00</u>	FIRE INCENTIVE PROGRAM					
25-00850	07/09/25	1 '25 RETENTION PROGRAM-FD	854.00	62 SPRING STREET	5-01-25-265-650	Budget	Aprv	10	1
			<u>854.00</u>	FIRE INCENTIVE PROGRAM					
25-00851	07/09/25	1 '25 RETENTION PROGRAM-FD	700.00	36 SOUTH GIFFORD STREET	5-01-25-265-650	Budget	Aprv	11	1
			<u>700.00</u>	FIRE INCENTIVE PROGRAM					
25-00852	07/09/25	1 '25 RETENTION PROGRAM-FD	987.00	30 S. GIFFORD STREET	5-01-25-265-650	Budget	Aprv	12	1
			<u>987.00</u>	FIRE INCENTIVE PROGRAM					
25-00853	07/09/25	1 '25 RETENTION PROGRAM-FD	1,015.00	2 S.GIFFORD ST	5-01-25-265-650	Budget	Aprv	13	1
			<u>1,015.00</u>	FIRE INCENTIVE PROGRAM					
25-00854	07/09/25	1 '25 RETENTION PROGRAM-FD	1,260.00	10 ELM STREET	5-01-25-265-650	Budget	Aprv	14	1
			<u>1,260.00</u>	FIRE INCENTIVE PROGRAM					
25-00855	07/09/25	1 '25 RETENTION PROGRAM-FD	693.00	108 BOONTEN AVE	5-01-25-265-650	Budget	Aprv	15	1
			<u>693.00</u>	FIRE INCENTIVE PROGRAM					
25-00857	07/09/25	1 '25 RETENTION PROGRAM-FD	1,127.00	84 RIDGE RD	5-01-25-265-650	Budget	Aprv	17	1
			<u>1,127.00</u>	FIRE INCENTIVE PROGRAM					
25-00858	07/09/25	1 '25 RETENTION PROGRAM-FD	518.00	96 KAKEOUT ROAD	5-01-25-265-650	Budget	Aprv	18	1
			<u>518.00</u>	FIRE INCENTIVE PROGRAM					
25-00859	07/09/25	1 '25 RETENTION PROGRAM-FD	966.00	8 WALNT LANE	5-01-25-265-650	Budget	Aprv	19	1
			<u>966.00</u>	FIRE INCENTIVE PROGRAM					
	07/15/25	VAT02 ED VATH							

July 15, 2025
10:40 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 3

Check No.	Check Date	Vendor #	Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item	Description		Description					
25-00860	07/09/25	1	'25 RETENTION PROGRAM-FD	392.00	5-01-25-265-650		Budget	Aprv	20	1
				<u>392.00</u>	FIRE INCENTIVE PROGRAM					

	<u>Count</u>	<u>Line Items</u>	<u>Amount</u>
Checks:	21	21	16,618.00

There are NO errors or warnings in this listing.

July 15, 2025
10:40 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 4

Totals by Year-Fund

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	5-01	16,618.00	0.00	0.00	16,618.00
Total of All Funds:		<u>16,618.00</u>	<u>0.00</u>	<u>0.00</u>	<u>16,618.00</u>

G/L Posting Summary

Account	Description	Debits	Credits
5-01-101-01-002-020	Cash - Claims 7378002584	0.00	16,618.00
5-01-201-20-000-000	Current Appropriations	<u>16,618.00</u>	<u>0.00</u>
	Grand Total:	<u>16,618.00</u>	<u>16,618.00</u>

July 15, 2025
10:24 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 1

Batch Id: RD Batch Type: C Batch Date: 07/15/25 Checking Account: PAYROLL CLEAR G/L Credit: Budget G/L Credit
Generate Direct Deposit: N

Check No.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check	Charge Account	Account Type	Status	Seq	Acct
PO #	Enc Date	Item Description		Description					
<hr/>									
	07/15/25	ADP01 ADP, INC		ONE ADP DRIVE					
25-00825	07/03/25	1 PAYROLL PROCESSING WIRED	333.33	5-01-20-130-630	Budget	Aprv	1	1	
			333.33	FINANCE PAYROLL PROCESSING (AGENCY)	Budget			2	
			166.67	Electric Payroll Processing	Budget			3	
25-00825	07/09/25	2 PAYROLL PROCESSING WIRED	1,142.52	5-01-20-130-630	Budget	Aprv	2	1	
			1,142.52	FINANCE PAYROLL PROCESSING (AGENCY)	Budget			2	
			571.26	Electric Payroll Processing	Budget			3	
			3,689.63	WATER ADMINISTR Payroll Processing					

	<u>Count</u>	<u>Line Items</u>	<u>Amount</u>
checks:	1	2	3,689.63

There are NO errors or warnings in this listing.

July 15, 2025
10:24 AM

BOROUGH OF BUTLER
Check Payment Batch Verification Listing

Page No: 2

Totals by Year-Fund
Fund Description

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	5-01	1,475.85	0.00	0.00	1,475.85
FUND 05	5-05	737.93	0.00	0.00	737.93
ELECTRIC UTILITY OPERATING	5-09	1,475.85	0.00	0.00	1,475.85
Total of All Funds:		<u>3,689.63</u>	<u>0.00</u>	<u>0.00</u>	<u>3,689.63</u>

G/L Posting Summary

Account	Description	Debits	Credits
5-01-101-01-002-022	Cash - Pay Agency 7378002571	0.00	1,475.85
5-01-201-20-000-000	Current Appropriations	<u>1,475.85</u>	<u>0.00</u>
	Totals for Fund 5-01 :	1,475.85	1,475.85
5-05-201-20-000-000	Water Utility Appropriations	737.93	0.00
5-05-260-05-000-021	Due To Payroll Clearing	<u>0.00</u>	<u>737.93</u>
	Totals for Fund 5-05 :	737.93	737.93
5-09-201-20-000-000	Current Appropriations	1,475.85	0.00
5-09-260-05-000-020	Due To Claims Account	<u>0.00</u>	<u>1,475.85</u>
	Totals for Fund 5-09 :	1,475.85	1,475.85
	Grand Total:	<u>3,689.63</u>	<u>3,689.63</u>

BOROUGH OF BUTLER

RESOLUTION 2025-101

RESOLUTION RELEASING PSI ATLANTIC BUTLER NJ, LLC (BUTLER SELF STORAGE) FROM PERFORMANCE GUARANTEE AND ACCEPTING MAINTENANCE GUARANTEE

WHEREAS, PSI Atlantic Butler NJ, LLC, the developers of property known as 1414 Route 23, has, pursuant to N.J.S.A. 40:55D-53, the Municipal Land Use Law, notified the Borough that certain improvements have been completed and have requested to be released from liability under the Performance Guarantee being held by the Borough; and

WHEREAS, the Borough Engineer has inspected all improvements of which such notice has been given and has recommended the release of the Performance Guarantee covering such improvements; and

WHEREAS, a maintenance guarantee is required as a condition of the release of the performance guarantee and has been submitted by the Developer in the form of cash retainage from the performance guarantee and reviewed by the Borough Engineer.

WHEREAS, the Borough Council has reviewed the recommendation of the Borough Engineer; and

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, as follows:

Section 1. The Borough of Butler releases PSI Atlantic Butler NJ, LLC from liability under the Performance Guarantee posted in conjunction with the development of Block 1414 Route 23 (Butler Self Storage), and the Finance Officer is authorized and directed to release the following Performance Guarantee being held by the Borough:


- Performance Guarantee \$61,890.00 (with \$37,167.00 being retained as a maintenance guarantee)
- Safety and Stabilization Guarantee \$15,247.83

Section 2. Maintenance Guarantee in the amount of \$37,167.00 is hereby accepted.

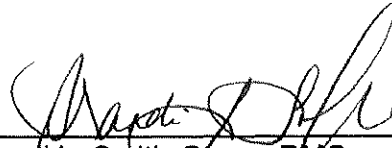
Section 3. The Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the developer.

Adopted: July 15, 2025

Attest:



Ryan Martinez, Mayor



Brandi L. Smith-Greco, RMC

CERTIFICATION

I hereby certify that I, the undersigned, am the Borough Clerk of the Borough of Butler, County of Morris, State of New Jersey, and I hereby certify that the foregoing Resolution is a true copy of a resolution adopted by the Borough Council of the Borough of Butler at a regular meeting held on July 15, 2025

**BOROUGH OF BUTLER
RESOLUTION NO. 2025-102**

2024 AUDIT CORRECTIVE ACTION PLAN

WHEREAS, the 2024 Audit was received by the Mayor and Council of The Borough of Butler

WHEREAS, the 2024 Annual Audit of the Borough of Butler, conducted by Nisivoccia LLP, contained a recommendation requiring action: and


WHEREAS, these recommendations have been reviewed by the Borough Administrator: and

WHEREAS, The Borough Administrator, in accordance with the requirements promulgated by the New Jersey Division of Local Government Services, has developed a plan to address the recommendation listed by the auditor.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Butler that the Corrective Action Plan for the 2024 Annual Municipal Audit, hereto attached, is hereby approved, and accepted: and

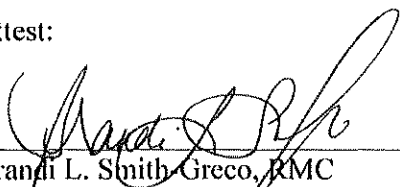
ADOPTED that the Borough Clerk is hereby directed to transmit a certified copy of this resolution and its attachments to the New Jersey Division of Local Government Services.

Approved: July 15, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

2024 Audit Corrective Action Plan

Borough of Butler

AUDIT COMMENTS:

1. **COMMENT:** The fixed assets accounting and reporting system was not maintained on a current and timely basis.

A. **RECOMMENDATION:** The fixed asset accounting and reporting system be updated annually.

I. **CORRECTIVE ACTION PLAN:** The fixed assets and accounting and reporting system will be maintained on a timely basis.

**BOROUGH OF BUTLER
RESOLUTION 2025-103**

**RESOLUTION EXTENDING THE DATE
THIRD QUARTER TAX BILLS ARE DUE**

WHEREAS, the year 2025 tax rate for the Borough of Butler was not released by Morris County until July 7th, 2025; and


WHEREAS, the Borough of Butler had to delay in the sending of their tax bills due to the delay in certification; and

WHEREAS, the tax bills for the Final 2025/Preliminary 2026 were mailed on July 15th; and

WHEREAS, the third quarter bill is normally due on August 1st with a 10-day grace period;

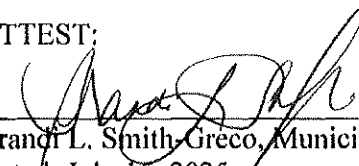
NOW, THEREFORE BE IT RESOLVED that the Mayor and Council extend the due date including the 10-day grace period for the payment of third quarter 2025 taxes to August 11, 2025.

Adopted: July 15, 2025



Ryan Martinez, Mayor

ATTEST:



Brandi L. Smith-Greco, Municipal Clerk
Dated: July 15, 2025

**BOROUGH OF BUTLER
RESOLUTION R-2025-104**

**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;

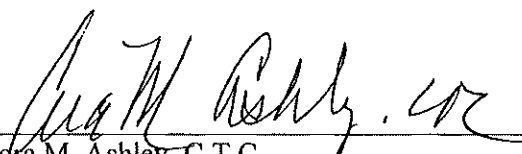
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Butler that the proper officers be, and they are hereby authorized and directed to issue checks refunding such overpayments as hereafter shown below:

CODE OF REASONS

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

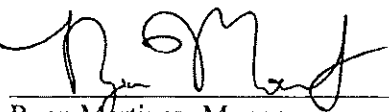
5. Cancellation of Taxes
6. Cancellation of Certificate
7. Tax Title Lien Redemption
8. Municipal Lien Redemption
- *Totally Disabled Vet

BLK/LOT/SUB	NAME	AMOUNT	YEAR	REASON
37/47	Emmanuel Gonzalo	\$4,485.30	2025	1*

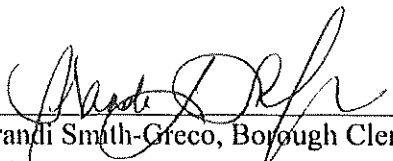

Cora M. Ashley, C.T.C.

ADOPTED:

July 15, 2025


Ryan Martinez, Mayor

ATTEST:


Brandi Smith-Greco, Borough Clerk
Date:

BOROUGH OF BUTLER
RESOLUTION NO. R 2025-105

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TILCON NEW YORK INC. FOR ROADWAY PAVING

WHEREAS, the Borough of Butler has identified various municipal roads and the Borough Hall parking lot in need of milling and paving improvements; and

WHEREAS, Tilcon New York Inc., located at 9 Entin Road, Parsippany, New Jersey, is an authorized vendor under the Morris County Cooperative Pricing Council (Contract #6 – Road Resurfacing); and

WHEREAS, the Borough of Butler desires to utilize Tilcon New York Inc. for said paving services in accordance with the terms of the Morris County Cooperative; and


WHEREAS, the total cost of the proposed paving work shall not exceed \$550,000.00; and

WHEREAS, the Borough Chief Financial Officer has certified that funds are available for this purpose from the 2024 and 2025 Capital Road Improvement funds as well as funds from the 2025 Local Recreation Improvement Grant;

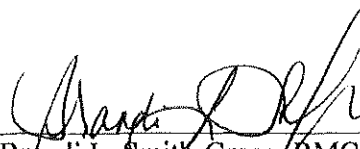
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, County of Morris, State of New Jersey, that:

1. The Borough of Butler hereby authorizes the award of a contract to Tilcon New York Inc. through the Morris County Cooperative Pricing Council for the milling and paving of municipal roads and the Borough Hall parking lot in an amount not to exceed \$550,000.00.
2. The Mayor and/or Borough Administrator and Borough Clerk are authorized to execute all necessary documents to effectuate the contract.

Adopted: July 15, 2025



Ryan Martinez, Mayor



Brandi L. Smith-Greco/RMC

Dated: July 15, 2025

**BOROUGH OF BUTLER
RESOLUTION NO. 2025-106**

**RESOLUTION OF THE BOROUGH OF BUTLER, AWARDING A NON-FAIR AND
OPEN PROFESSIONAL SERVICES CONTRACT TO H2M ARCHITECTS &
ENGINEERS FOR LICENSED OPERATIONS AND REGULATORY COMPLIANCE
SUPPORT SERVICES**

WHEREAS, the Borough of Butler owns and operates a public community water system (PWS No. NJ1403001), and requires the services of a licensed potable water operator and regulatory compliance support to ensure continued adherence to NJDEP and other applicable regulations; and

WHEREAS, H2M Architects & Engineers has submitted a proposal dated July 11, 2025, in the total amount of \$136,400, for the following scope of services:

Phase 1 – System Operations Benchmarking (\$20,000),

Phase 2 – Licensed Operations Services (\$86,600),

Phase 3 – Regulatory Compliance Support (\$29,800); and


WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) authorizes the award of contracts for “Professional Services” without competitive bidding; and

WHEREAS, H2M Architects & Engineers has completed and submitted a Business Entity Disclosure Certification certifying 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 H2M from making any such contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available from the Borough’s Water Utility Operating Budget for this expenditure, and that this commitment, together with all previously made commitments, does not exceed available funds and is intended for the purposes set forth herein;

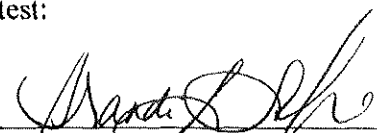
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Butler, County of Morris, State of New Jersey, that a professional services contract be awarded to H2M Architects & Engineers, 119 Cherry Hill Road, Suite 110, Parsippany, NJ 07054, in the total not-to-exceed amount of \$136,400, for PWS Licensed Operations and Regulatory Compliance Support Services, as outlined in Proposal No. LP25-0879, dated July 11, 2025.

Approved: July 15, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, PMC

**BOROUGH OF BUTLER
RESOLUTION 2025-107**

**RESOLUTION CHANGING THE NEXT COUNCIL MEETING DATE FROM
AUGUST 19, 2025 TO AUGUST 18, 2025**

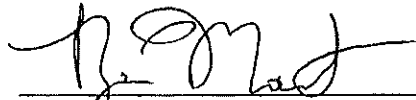
WHEREAS, the meeting of the Butler Borough Mayor & Council originally scheduled for August 19, 2025 shall be moved to a new date of August 18, 2025;

WHEREAS, the meeting time and place will remain at 7pm in Council Chambers located at One Ace Road, Butler, NJ

WHEREAS, State of NJDEP regulations require an agenda item on that meeting be adopted effective before August 18th at 11:59 pm, resulting in this change;

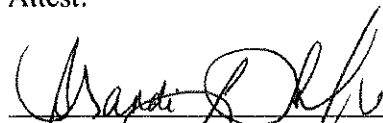
NOW, THEREFORE, BE IT RESOLVED by the GOVERNING BODY of Butler Borough Hereby authorizes the meeting date change to August 18, 2025

Adopted: July 15, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Butler, in the County of Morris, New Jersey, held at the Municipal Building, One Ace Road, Butler, New Jersey, on July 15, 2025.

PRESENT: *CALVI, GUZMAN, ORCUTT, PICCIRILLO,
+ VERDONIK*

ABSENT: *MEIER*

* * *

PICCIRILLO introduced and moved the ^{introduction} adoption of the following resolution and VERDONIK seconded the motion:

RESOLUTION 2025-108 AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$5,118,357 BOND ANTICIPATION NOTES OF THE BOROUGH OF BUTLER, IN THE COUNTY OF MORRIS, NEW JERSEY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BUTLER, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Borough of Butler, in the County of Morris (the "Borough"), entitled: "Bond ordinance providing for the construction or reconstruction of sidewalks in and along Morse Avenue in and by the Borough of Butler, in the County of Morris, New Jersey", finally adopted on August 15, 2017 (#2017-12), bond anticipation notes of the Borough in a principal amount of not exceeding \$40,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the construction or reconstruction of sidewalks in and along various roads in and by the Borough of Butler, in the County of Morris, New Jersey, appropriating \$125,000 therefor, directing a special assessment of the cost thereof, and authorizing the issuance of \$119,000 bonds or notes of the Borough for financing the same", finally adopted on July 16, 2019 (#2019-15), bond anticipation notes of the Borough in a principal amount of not exceeding \$79,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the improvement of the water supply and distribution system in and by the Borough of Butler, in the County of Morris, New Jersey, appropriating \$200,000 therefor and authorizing the issuance of \$200,000 bonds or notes of the Borough for financing such appropriation", finally adopted on June 21, 2022 (#2022-10), bond anticipation notes of the Borough in a principal amount of not exceeding \$197,400 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Butler, in the County of Morris, New Jersey, appropriating \$670,000 therefor, directing a special assessment of part of the cost thereof, and authorizing the issuance of \$310,000 bonds or notes of the Borough for financing the same", finally adopted on May 16, 2023 (#2023-05), bond

anticipation notes of the Borough in a principal amount of not exceeding \$120,000 shall be issued, for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$300,000, and authorizing the issuance of \$300,000 bonds or notes of the Borough, for various water supply and distribution system improvements or purposes authorized to be undertaken by the Borough of Butler, in the County of Morris, New Jersey", finally adopted on May 16, 2023 (#2023-07), bond anticipation notes of the Borough in a principal amount of not exceeding \$200,000 shall be issued, for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the acquisition of a bucket truck for use by the electric utility of the Borough of Butler, in the County of Morris, New Jersey, appropriating \$300,000 therefor and authorizing the issuance of \$200,000 bonds or notes of the Borough for financing such appropriation" finally adopted on May 17, 2022 (#2022-05), bond anticipation notes of the Borough in a principal amount of not exceeding \$180,000 shall be issued, for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the improvement of the Department of Public Works garage in and by

the Borough of Butler, in the County of Morris, New Jersey, appropriating \$70,000 therefor and authorizing the issuance of \$65,000 bonds or notes of the Borough for financing such appropriation” finally adopted on May 21, 2024 (#2024-12), bond anticipation notes of the Borough in a principal amount of not exceeding \$65,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$350,000, and authorizing the issuance of \$350,000 bonds or notes of the Borough, for various Electric Supply and Distribution System improvements or purposes authorized to be undertaken by the Borough of Butler, in the County of Morris, New Jersey” finally adopted on May 21, 2024 (#2024-14), bond anticipation notes of the Borough in a principal amount of not exceeding \$315,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$1,058,530, and authorizing the issuance of \$741,250 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Butler, in the County of Morris, New Jersey” finally adopted on June 17, 2025 (#2025-05), bond anticipation notes of the Borough in a principal amount of not exceeding \$741,250 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$316,000, and authorizing the issuance of \$300,000 bonds or notes of the Borough, for various electric supply and distribution system improvements or purposes authorized to be undertaken by the Borough of Butler, in the County of Morris, New Jersey" finally adopted on June 17, 2025 (#2025-06), bond anticipation notes of the Borough in a principal amount of not exceeding \$300,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$2,970,000, and authorizing the issuance of \$2,880,707 bonds or notes of the Borough, for various water supply and distribution system improvements or purposes authorized to be undertaken by the Borough of Butler, in the County of Morris, New Jersey" finally adopted on June 17, 2025 (#2025-07), bond anticipation notes of the Borough in a principal amount of not exceeding \$2,880,707 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 12. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes

issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 13. Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 14. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) the preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) the execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2 12 promulgated by the Securities and Exchange Commission and (iv) the execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable

law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 15. All action heretofore taken by Borough officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 16. This resolution shall take effect immediately.

Upon motion of _____, seconded by _____, the foregoing resolution was adopted by the following vote:

AYES:

NOES:

Ordinance Detail

<u>Number</u>	<u>Adoption Date</u>	<u>Current Amount</u>	<u>Initial Issuance Date and Amount</u>	<u>Current Paydown</u>	<u>Aggregate Paydown</u>
2017-12	08/15/17	\$40,000	09/12/19 - \$114,000	\$24,000	\$74,000
2019-15	07/16/19	\$79,000	09/12/19 - \$119,000	\$10,000	\$40,000
2022-10	06/21/22	\$197,400	09/08/22 - \$200,000	\$2,600	\$2,600
2023-05 ⁽¹⁾	05/16/23	\$120,000	09/07/23 - \$120,000	\$0	\$0
2023-07 ⁽²⁾	05/16/23	\$200,000	09/07/23 - \$200,000	\$0	\$0
2022-05	05/17/22	\$180,000	09/05/24 - \$200,000	\$20,000	\$20,000
2024-12	05/21/24	\$65,000	09/05/24 - \$65,000	\$0	\$0
2024-14	03/21/24	\$315,000	09/05/24 - \$350,000	\$35,000	\$35,000
2025-05	06/17/25	\$741,250	09/04/25 - \$741,250	\$0	\$0
2025-06	06/17/25	\$300,000	09/04/25 - \$300,000	\$0	\$0
2025-07	06/17/25	\$2,880,707	09/04/25 - \$2,880,707	\$0	\$0

¹ Also, \$190,000 General Bonds of 2023 issued on September 4, 2025.

² Also, \$100,000 Water Bonds of 2023 issued on September 4, 2025.

**THE BOROUGH OF BUTLER,
IN THE COUNTY OF MORRIS, NEW JERSEY
NOTICE OF \$5,118,357 BOND ANTICIPATION NOTE SALE
(TAX-EXEMPT) (BANK QUALIFIED) (NON-CALLABLE)**

Sealed, written, telecopied (telecopier number 973-838-3762), e-mailed (mberger@butlerborough.com) or telephoned (telephone number 973-838-7200 ext. 220) proposals for the purchase of \$5,118,357 Bond Anticipation Notes (the "Notes") of the Borough of Butler, in the County of Morris, New Jersey (the "Borough"), will be received by the undersigned Chief Financial Officer on **Thursday, August 21, 2025** until 11:00 A.M. The Chief Financial Officer accepts no responsibility for the failure of any bid to be received on time for whatever reason. All telephone bids must be immediately confirmed in writing by telecopy or e-mail. A determination as to the award will be made no later than 1:00 P.M. on that date.

Each bid must offer to purchase the entire Note issue being offered at a price of not less than par and must specify a single rate of interest offered for the Notes. Interest shall be calculated on a 360-day year basis, consisting of twelve 30-day months. Bids may be submitted by completing the attached proposal form (or, alternatively, by including all of the required information in an e-mail) and by submitting it in writing by fax or by e-mail. The successful bidder may purchase for its own account and not with a view to distribution or resale. The Chief Financial Officer expects to award the Notes to the bidder specifying the lowest net interest payable by the Borough. The Borough reserves the right to reject all bids and to waive irregularities.

SPECIFICATIONS OF BOND ANTICIPATION NOTES

Principal Amount	\$5,118,357
Dated Date	September 4, 2025
Maturity Date	September 4, 2026
Interest Rate Per Annum	Specified by successful bidder
Legal Opinion	Hawkins Delafield & Wood LLP Newark, New Jersey
Paying Agent	Specified by successful bidder within 2 hours of award, subject to approval of the Chief Financial Officer, at no cost to the Borough.
Closing	
a. date	September 4, 2025; 10:00 A.M.
b. location	Municipal Building, One Ace Road, Butler, New Jersey 07405 or at such other place as agreed to by the Chief Financial Officer
Denominations	Not less than \$100,000, as specified by the successful bidder within 2 hours of award, subject to approval of the Chief Financial Officer
Purchasers	Not more than 35 sophisticated persons each of whom is not purchasing for more than one account or with a view to distributing
Payment	Immediately available funds
Bank Qualified	Yes

At the time of delivery of the Notes, the successful bidder will be furnished with (a) the opinion of bond counsel (the form of which is attached hereto as Exhibit A), to the effect that (i) the Notes are valid and legally binding obligations of the Borough and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable property therein without limitation as to rate or amount and (ii) interest on the Notes will be excludable from gross income for federal income tax purposes and not included in gross income under the New Jersey Gross Income Tax Act and (b) certificates evidencing the proper execution and delivery of the Notes and receipt of payment therefor and including a statement to the effect that there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened relating to the Notes.

It shall be the responsibility of the successful bidder to obtain CUSIP identification numbers, if any, and the CUSIP Service Bureau charge shall be the responsibility of and shall be paid for by the successful bidder.

Matters relating to the "issue price" of the Notes are set forth in Exhibit B attached hereto.

Financial information concerning the Borough is available upon request. For information, please contact the undersigned Chief Financial Officer at mberger@butlerborough.com or at the following telephone number: 973-838-7200 ext. 220.

Melissa Berger
Chief Financial Officer

2364245.12 028494 RSJND

EXHIBIT A

Form of Bond Counsel Opinion

HAWKINS

HAWKINS DELAFIELD & WOOD LLP
A NEW YORK LIMITED LIABILITY PARTNERSHIP
ONE GATEWAY CENTER, 24TH FLOOR, NEWARK, NJ 07102
(973) 642-8584 | HAWKINS.COM

ROBERT H. BEINFELD
ERIC J. SAPIR
CHARLES G. TOTO
KRISTINE L. FLYNN
DAVID S. HANDLER
MICHELLE A. LOUCOPOLOS
MEGAN I. SARTOR
NILES B. MURPHY
RYANN K. MCANDREWS

September 4, 2025

Borough Council of The
Borough of Butler, in the
County of Morris, New Jersey

Ladies and Gentlemen:

We have acted as bond counsel to The Borough of Butler, a municipal corporation of the State of New Jersey, situate in the County of Morris (the "Borough"), and have examined a record of proceedings relating to the issuance by the Borough of a Bond Anticipation Note in the denomination of \$5,118,357 (the "Note"). The Note is dated September 4, 2025, matures on September 4, 2026, bears interest at the rate of _____ hundredths per centum (____%) per annum payable at maturity, is issued in registered form, is transferable as therein provided, and is issued pursuant to the Local Bond Law of the State of New Jersey, and by virtue of a bond ordinance or ordinances of the Borough and a resolution of its governing body adopted July 15, 2025.

The Note is a temporary obligation issued in anticipation of the issuance of bonds.

The Internal Revenue Code of 1986, as amended (the "Code"), establishes certain ongoing requirements that must be met subsequent to the issuance and delivery of the Note in order that interest on the Note be and remain excluded from gross income under Section 103 of the Code. We have examined the Arbitrage and Use of Proceeds Certificate of the Borough delivered in connection with the issuance of the Note which contains provisions and procedures regarding compliance with the requirements of the Code. By said Arbitrage and Use of Proceeds Certificate, the Borough has certified that, to the extent it is empowered and allowed under applicable law, it will comply with the provisions and procedures set forth therein and that it will do and perform all acts and things necessary or desirable to assure that interest paid on the Note is excludable from gross income under Section 103 of the Code. In rendering this opinion, we have assumed that the Borough will comply with the provisions and procedures set forth in its Arbitrage and Use of Proceeds Certificate.

In our opinion, the Note is a valid and legally binding obligation of the Borough, payable in the first instance from the proceeds of the sale of the bonds in anticipation of the issuance of which the Note is issued but, if not so paid, payable ultimately from ad valorem taxes which may be levied upon all the taxable property within the Borough without limitation as to rate or amount. The enforceability of rights or remedies with respect to the Note may be limited by bankruptcy, insolvency or other laws affecting creditors' rights or remedies heretofore or hereafter enacted.

In our opinion, under existing statutes and court decisions, interest on the Note is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Code and interest on the Note is not treated as a preference item in calculating the alternative minimum tax under the Code, however interest on the Note is included in the "adjusted financial statement income" of certain corporations that are subject to the alternative minimum tax under Section 55 of the Code. In addition, in our opinion, under existing statutes, interest on the Note is not included in gross income under the New Jersey Gross Income Tax Act.

Attention is called to the fact that we have not been requested to examine and have not examined any documents or information relating to the Borough other than the record of proceedings hereinabove referred to, and no opinion is expressed as to any financial or other information, or the adequacy thereof, which has been or may be supplied to the purchaser of the Note.

We express no opinion as to any other federal, state or local tax consequences arising with respect to the Note, or the ownership or disposition thereof, except as stated above. We render our opinion under existing statutes and court decisions as of the date hereof, and assume no obligation to update, revise or supplement our opinion to reflect any action hereafter taken or not taken, any fact or circumstance that may hereafter come to our attention, any change in law or interpretation thereof that may hereafter occur, or for any other reason. We express no opinion as to the consequence of any of the events described in the preceding sentence or the likelihood of their occurrence. In addition, we express no opinion on the effect of any action taken or not taken in reliance upon an opinion of other counsel regarding federal, state or local tax matters, including, without limitation, exclusion from gross income for federal income tax purposes of interest on the Note.

The form of the Note is prescribed by said resolution adopted July 15, 2025. We have not examined the executed Note.

Very truly yours,

Establishment of Issue Price (10% Test or Hold-the-Offering-Price Rule May Apply if Competitive Sale Requirements are Not Satisfied) - Notes – Bidder Option. The successful bidder shall assist the Borough in establishing the issue price of the Notes and shall execute and deliver to the Borough at closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price of the Notes, together with the supporting pricing wires or equivalent communications, with such modifications as may be appropriate or necessary, in the reasonable judgment of the successful bidder, the Borough and bond counsel to the Borough. The form of such certificate is available from bond counsel to the Borough.

The Borough intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Notes) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because: (1) the Borough shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters, (2) all bidders shall have an equal opportunity to bid, (3) the Borough may receive bids from at least three underwriters of municipal bonds and notes who have established industry reputations for underwriting new issuances of municipal bonds and notes and (4) the Borough anticipates awarding the sale of the Notes to the bidder who submits a firm offer to purchase the Notes at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Notes, as specified in the bid. Unless a bidder is purchasing the Notes for its own account and not with a view to distribution or resale to the public, a bidder by submitting its bid represents that it is an underwriter of municipal bonds and notes that has an established industry reputation for underwriting new issuances of municipal bonds and notes.

In the event that the competitive sale requirements are not satisfied, the Borough shall so advise the successful bidder. In such event, unless the successful bidder is purchasing the Notes for its own account and not with a view to distribution or resale to the public, the successful bidder shall elect to treat (i) the first price at which 10% of the Notes (the “10% test”) is sold to the public as the issue price of the Notes or (ii) the initial offering price to the public as of the sale date of the Notes as the issue price of the Notes (the “hold-the-offering-price rule”). The successful bidder shall advise the Borough if the 10% test is satisfied as of the date and time of the award of the Notes. In the event the 10% test is not satisfied as of the date and time of the award of the Notes, the successful bidder shall promptly advise the Borough whether the Notes shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that the Notes will be subject to either the 10% test or the hold-the-offering-price rule in order to establish the issue price of the Notes.

By submitting a bid, the successful bidder shall (i) confirm that the underwriters have offered or will offer the Notes to the public on or before the date of award at the offering price (the “initial offering price”), or at the corresponding yield, set forth in the bid submitted by the successful bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Notes, that the underwriters will neither offer nor sell unsold Notes to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price

to the public during the period starting on the sale date and ending on the earlier of the following: (1) the close of the fifth (5th) business day after the sale date or (2) the date on which the underwriters have sold at least 10% of the Notes to the public at a price that is no higher than the initial offering price to the public. The winning bidder will advise the Borough promptly after the close of the fifth (5th) business day after the sale date whether it has sold 10% of the Notes to the public at a price that is no higher than the initial offering price to the public.

If the competitive sale requirements are not satisfied and the successful bidder has elected the 10% test to apply to the Notes, then until the 10% test has been satisfied, the successful bidder agrees to promptly report to the Borough the prices at which the unsold Notes have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until either (i) all Notes have been sold or (ii) the 10% test has been satisfied, provided that, the successful bidder's reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the Borough or bond counsel to the Borough.

The Borough acknowledges that, in making the representations set forth above, the successful bidder will rely on (i) the agreement of each underwriter to comply with the requirements for establishing issue price of the Notes, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Notes, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Notes to the public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing issue price of the Notes, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Notes, as set forth in a selling group agreement and the related pricing wires and (iii) in the event that an underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale of the Notes to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing issue price of the Notes, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Notes, as set forth in the third-party distribution agreement and the related pricing wires. The Borough further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing issue price of the Notes, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Notes, and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement to comply with its corresponding agreement to comply with the requirements for establishing issue price of the Notes, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Notes.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Notes to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable: (A)(1) to report the prices at which it sells to the public the unsold Notes allocated to it, whether or not the closing date has occurred, until either all Notes allocated to it have been sold or it is notified by the successful bidder that the 10% test has been satisfied

as to the Notes, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder and (2) to comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the successful bidder and as set forth in the related pricing wires, (B) to promptly notify the successful bidder of any sales of Notes that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Notes to the public (each such term being used as defined below) and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the successful bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Notes to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Notes of the public to require each broker-dealer that is a party to such third-party distribution agreement to (A) report the prices at which it sells to the public the unsold Notes allotted to it, whether or not the closing date has occurred, until either all Notes allocated to it have been sold or it is notified by the successful bidder or such underwriter that the 10% test has been satisfied as to the Notes, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder or such underwriter and (B) comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the successful bidder or the underwriter and as set forth in the related pricing wires.

Sales of any Notes to any person that is a related party to an underwriter participating in the initial sale of the Notes to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale: (i) "public" means any person other than an underwriter or a related party, (ii) "underwriter" means (A) the successful bidder, (B) any person that agrees pursuant to a written contract with the successful bidder to form an underwriting syndicate to participate in the initial sale of the Notes to the public and (C) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (B) to participate in the initial sale of the Notes to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Notes to the public), (iii) "related party" means any entity if an underwriter and such entity are subject, directly or indirectly, to (I) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (II) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another) or (III) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other) and (iv) "sale date" means the date that the Notes are awarded by the Borough to the successful bidder.

**THE BOROUGH OF BUTLER,
IN THE COUNTY OF MORRIS, NEW JERSEY**

NOTICE OF \$5,118,357 BOND ANTICIPATION NOTE SALE

PROPOSAL TO PURCHASE

The undersigned hereby offers to purchase Bond Anticipation Notes in accordance with the provisions of the Notice of Sale with respect thereto for the following terms:

<u>Amount of Notes</u>	<u>Price (not less than par)</u>	<u>Rate of Interest Per Annum</u>
\$5,118,357	\$ _____	_____ %

Bidder _____

Authorized Signature _____

THIS PORTION OF THE PROPOSAL IS NOT PART OF THE BID

PLEASE COMPLETE THE FOLLOWING:

Interest Payable on Notes	\$ _____
Less: Premium (if any)	\$ _____
Net Interest Payable	\$ _____
Net Interest Rate	_____ %

Person to be contacted for closing arrangements:

Name

Telephone Number

**Borough of Butler
Resolution 2025-109**

**Resolution Requesting Approval of items of Revenue and Appropriation
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER:

That the Borough of Butler, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of year 2025, which item is available as a revenue in the amount of **\$91,000**:

**State of New Jersey
2025 Local Recreation Improvement Grant**

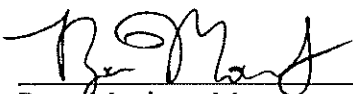
BE IT RESOLVED that a like sum of **\$91,000.00** be and the same is hereby appropriated under the captions of:

**State of New Jersey
2025 Local Recreation Improvement Grant
Paving of Municipal / Playground Parking Lot**

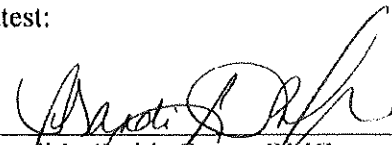
BE IT FURTHER RESOLVED that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services

Adopted: July 15, 2025

Attest:



Ryan Martinez, Mayor



Brandi L. Smith-Greco, BMC

BOROUGH OF BUTLER
RESOLUTION NO. 2025-110
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler in the County of Morris, State of New Jersey, on the 15th day of July, 2025, that:

1. Prior to conclusion of the business meeting, the Borough Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):

- () B. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- () B. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- () B. (3) A matter the disclosure of which constitutes an unwarranted invasion of individual privacy.
- () B. (4) A collective bargaining agreement including negotiations.
- () B. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- () B. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure would impact such protection. Investigation of violations of the law.
- () B. (7) Pending or anticipated litigation or contract negotiations other than in Subsection b. (4) herein or matters falling within the attorney-client privilege
- (X) B. (8) Personnel matters.
- () B. (9) Deliberations after a public hearing that may result in penalties.

2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Date: July 15, 2025


Moved: ORCUTT

Second: VERDONIK

Roll Call: CALVI, GUZMAN, ORCUTT, PICCIRILLO, + VERDONIK

Absent: MEIER


Brandi L. Smith-Greco, RMC


Ryan Martinez, Mayor

BOROUGH OF BUTLER

ORDINANCE NO. 2025 – 09

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

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

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

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

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

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

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

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

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

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

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

ARTICLE I

SCOPE AND ADMINISTRATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE II

APPLICABILITY

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

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

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

Jersey 07405.

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

A. Effective Flood Insurance Studies.

1. Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study for Morris County, New Jersey (All Jurisdictions), Community No. 340337 dated August 19, 2025 and an accompanying Flood Insurance Rate Map (FIRM) identified as 34027C0177F whose top level document (appendix map) effective date is August 19, 2025, are hereby adopted by reference.
2. Special flood hazard areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled Flood Insurance Study, Borough of Butler, Morris County, New Jersey, Community Number 340337, Product ID 340337V000, dated October 15, 1985, and the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map identified in Table 102.2(1) whose effective date is August 19, 2025, are hereby adopted by reference.

Table 102.2(1)

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

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

Table 102.2(2)

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

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

D. State Regulated Flood Hazard Areas. For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the "Flood Hazard Area Control Act Design Flood Elevation", as defined in § 201, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 104-12(3) List of State Studied Waters					
Name of Studied Water Body			§ Studied		
File Name	Stream	Project	Sheet No.	Image Type	
BDALE009p	Pequannock River - UNT	Bloomingdale	03p	Profile	
BDALE010p	Pequannock River	Bloomingdale	04p	Profile	
BDALE011p	Pequannock River	Bloomingdale	05p	Profile	
BDALE018p	Oakwood Lake Brook	Bloomingdale	12pr	Profile	
G0000072p	Stone House Brook	G	07PR	Profile	
G0000073p	Stone House Brook	G	06P	Profile	
G0000074p	Stone House Brook	G	05P	Profile	
G0000075p	Pequannock River	G	04P	Profile	
G0000076p	Pequannock River	G	03P	Profile	
G0000077p	Pequannock River	G	02PR	Profile	
G0000078p	Pequannock River	G	01P	Profile	
G0000096p	Pequannock River	G	05P	Profile	
G0000097p	Pequannock River	G	04P	Profile	
G0000098p	Pequannock River	G	03P	Profile	
G0000099p	Pequannock River	G	02P	Profile	
J0000083p	Pequannock River	J	42	Profile	

§124-12. Establishing the Local Design Flood Elevation (LD FE).

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

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

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

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

ARTICLE III

DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§124-24. Development in riparian zones All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

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

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

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

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

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

ARTICLE IV

PERMITS

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

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

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

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

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

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

ARTICLE V

SITE PLANS AND CONSTRUCTION DOCUMENTS

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

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

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

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

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

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

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

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

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

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

ARTICLE VI

INSPECTIONS

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

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

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

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

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

ARTICLE VII

VARIANCES

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

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

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

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

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

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

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

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

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

inappropriate.

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

ARTICLE VIII

VIOLATIONS

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

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

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

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

ARTICLE IX

DEFINITIONS

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

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

§124-52. Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Zones.

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

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

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

FLOOD OR FLOODING

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
1. The overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 3. Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

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

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

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

the water surface elevation of the base flood.

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

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

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

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

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

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

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

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

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

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

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

HISTORIC STRUCTURE – Any structure that is:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESIDENTIAL – Pursuant to the ASCE 24:

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

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

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

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

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

START OF CONSTRUCTION – The Start of Construction is as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE X

SUBDIVISIONS AND OTHER DEVELOPMENTS

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

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

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

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

ARTICLE XI

SITE IMPROVEMENT

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

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

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

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

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

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

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

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

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

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

ARTICLE XII

MANUFACTURED HOMES

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

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

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

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

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

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

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

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

ARTICLE XIII

RECREATIONAL VEHICLES

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

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

§124-70. Permanent placement. Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of §124.74 for habitable buildings and §124-65.

ARTICLE XIV

TANKS

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

ARTICLE XV

OTHER DEVELOPMENT AND BUILDING WORK

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

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

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

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

§124.73. Requirements for Habitable Buildings and Structures.

A. Construction and Elevation in A Zones.

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

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

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

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

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

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

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

§124-78. Roads and watercourse crossings.

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

ARTICLE XVI

TEMPORARY STRUCTURES AND TEMPORARY STORAGE

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

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

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

ARTICLE XVII

UTILITY AND MISCELLANEOUS GROUP U

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

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

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

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

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

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

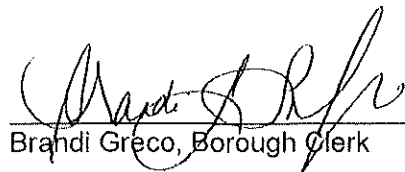
Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed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


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

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

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

Introduced this 15th day of
July, 2025.


Brandi Greco, Borough Clerk


Ryan Martinez, Mayor