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COUNCIL MEETING  
JANUARY 19, 2010  
7PM  
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The Council Meeting of the Butler Mayor and Council was opened by Mayor Joseph P. Heywang who indicated that the meeting was being held in compliance with the Open Public Meetings Act having been duly advertised and posted in Borough Hall. This was followed by the Pledge to the Flag and a Moment of Reflection.

#### ROLL CALL

PRESENT: Mayor Joseph Heywang, Councilman Edwin Vath, Councilman Robert Fox, Councilman Steven Regis, Councilman Robert Meier, Council President Robert Alviene, Councilwoman Judith Woop.

ABSENT: None

APPROVAL OF MINUTES: December 15, 2009, January 5 Reorganization and January 5 Workshop, 2010 and December 1 and 15, 2009 Executive Sessions

Moved: Fox

Second: Vath

All in favor.

#### PROCLAMATION 2010 NATIONAL WEAR RED DAY FOR WOMEN

#### MEETING OF PUBLIC AND INVITATION FOR DISCUSSION

No comments.

#### REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Tax Collectors Report – December 2009 - \$349,634.46

Power & Light/Water & Sewer Dept. – December 2009 - \$2,579,457.89

Councilman Vath reported on the following:

He met with Jim Lampmann, Borough Administrator and Jim Kozimor, Finance Officer to discuss Borough finances.

The division heads are submitting their budgets for 2010 – committee meeting dates are set up to discuss their proposed budgets.

The auditors are auditing the Borough revenues and expenses.

Councilman Fox reported on the following:

The roads are in pretty bad shape, pothole repairs will begin shortly.

Councilman Regis reported on the following:

The firemen used the new truck on Halloween and damaged it. The truck is now repaired and back in service.

The new communications center is 99% completed.

Our dispatch center will now be dispatching for Kinnelon midnight to 8AM.

Councilman Meier reported on the following:

There was a water break on December 19<sup>th</sup> on Struble – the line was repaired.

On January 4<sup>th</sup> a sewer lateral collapsed – the line was rerouted to Main St.

CDBG application was submitted.

The water main under the Stillwater Bridge has to be relocated.

Council President Alviene reported on the following:

Park lighting went off well. There was a little problem during the day that was corrected immediately.

Work at Argonne Woods is continuing.

Board of Public Utilities now allows energy saving programs that can be used in Butler. They include windows, furnaces, air sealing, and anything energy efficient.

Jim Lampmann mentioned that the money comes from Federal Funds.

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Councilwoman Woop reported on the following:

The Board of Health did not have a meeting since the last Council meeting. The next meeting will be held on January 27, 2010.

Borough Administrator Jim Lampmann reported on the following:

He asked the Council to think about which of them will be on the negotiations committee for Police and Blue Collar contracts.

He had a call from the lady who presented the Wellness Program to the Council at their workshop. Jim clarified with the Governing Body that their decision regarding a Wellness Program is something that will be considered at negotiation time.

Jim presented a proposal for an Engineer for the Electric Department.

Councilman Fox asked about the flag on the cell tower. It said it is a crime the way the flag looks.

Jim Lampmann said he has been trying daily to get Tower to change the flag and repair the light.

#### APPROVAL OF VOUCHERS AND PAYROLLS

#### R2010-14 AUTHORIZATION FOR PAYMENT OF BILLS & VOUCHERS

Moved: Vath

Second: Fox

Voted Aye: Vath, Fox, Regis, Meier, Alviene, Woop

#### PRESENTATION OF CORRESPONDENCE, PETITIONS

Nothing to present.

#### PUBLIC HEARINGS

No public hearing scheduled.

#### ORDINANCES FOR INTRODUCTION

No ordinances for introduction.

#### ORDINANCES FOR ADOPTION

#### ORDINANCE 2010-1 ORDINANCE AMENDING CHAPTER 225 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BUTLER AND PROVIDING FOR PARKING RESTRICTIONS ON HIGH STREET AND CAREY AVENUE

Introduced: January 5, 2010

Advertised: January 10, 2010

Public Hearing conducted – no comments.

Moved for adoption: Fox

Second: Regis

Voted Aye: Woop, Alviene, Meier, Regis, Fox, Vath

Voted Nay: None

Ordinance 2010-1 adopted.

#### ORDINANCE 2010-2 ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BUTLER AND ESTABLISHING NEW CHAPTER 78 ENTITLED "FERTILIZER" AND REGULATING THE APPLICATION OF FERTILIZER WITHIN THE BOROUGH OF BUTLER

Introduced: January 5, 2010

Advertised: January 10, 2010

Public Hearing conducted – no comments.

Moved for adoption: Fox

Second: Vath

Voted Aye: Vath, Fox, Alviene, Woop

Voted Nay: Regis, Meier

Ordinance 2010-2 adopted.

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RESOLUTIONS

R2010-15 RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE

Moved: Fox

Second: Alviene

Voted Aye: Woop, Alviene, Meier, Regis, Fox, Vath

Voted Nay: None

R2010-15 adopted.

R2010-16 RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE ELECTRIC DEPARTMENT

Moved: Fox

Second: Alviene

Voted Aye: Woop, Alviene, Meier, Regis, Fox, Vath

Voted Nay: None

R2010-16 adopted.

UNFINISHED BUSINESS

Request from Methodist Church for use of Butler Park – approved.

Membership in Bartholdi Hose – Joseph R. Redner – approved.

Appointments of Shelly Gallagher and Karen Black as Deputy Court Administrators

Moved: Alviene

Second: Vath

All in favor.

Borough Administrator, Jim Lampmann, presented the Governing Body with the option of placing a clock on the Police Station rather than replacing the one on the island at Park and High. He mentioned one that is 4' in diameter. Council liked the idea and Jim will present more options at the February workshop.

Jim Lampmann requested a resolution approving Curt Wilson as Electric Engineer.

R2010-17 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CURT WILSON

Moved: Fox

Second: Alviene

Voted Aye: Woop, Alviene, Meier, Regis, Fox, Vath

Voted Nay: None

R2010-17 adopted.

Motion to go into Executive Session for potential contract negotiations and a settlement agreement: Fox

Second: Regis

All in favor.

Meeting reopened:

Tax appeal settlement has been reached with HOR & MGR, LLC.

Further discussion will take place regarding potential contract negotiations with a possible shared service agreement.

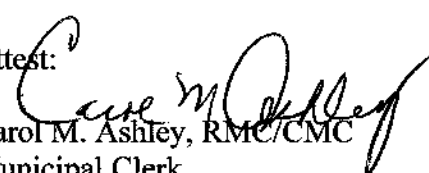
INVITATION FOR DISCUSSION FROM PUBLIC

No comments.

ADJOURNMENT: 7:45PM

Adopted:

Attest:

  
Carol M. Ashley, RMC/CMC  
Municipal Clerk

  
MAYOR JOSEPH P. HEYWANG