

MINUTES OF:
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WORKSHOP
SEPTEMBER 2, 2025
7:00 PM
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The Workshop Meeting of the Borough of 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.

ROLL CALL

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

ALSO PRESENT: Matthew Guilder, Borough Administrator; Brandi Greco, Borough Clerk; Robert Oostdyk, Borough Attorney.

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

APPROVAL OF MINUTES

July 15, 2025

Moved; Orcutt

Second: Calvi

All in favor

PRESENTATION OF CORRESPONDENCE

Mayor Martinez read the Proclamation for Ovarian Cancer Awareness

RESOLUTION(S)

- A. R 2025-115* Carried from 8/18/2025 Resolution Authorizing Person to Person Liquor License Transfer from Jigg's to Duffy's Celtic Crossings, Inc.
Moved: Verdonik Second: Guzman
All in favor
- B. R 2025-122 Resolution Awarding Contract to USG Waster/Utility Service Co., Inc. for the Rehabilitation and Ongoing Maintenance of the Borough's Water Storage Tanks Through a Public-Private Partnership Agreement
Moved: Orcutt Second: Verdonik
Voted Aye: Calvi, Guzman, Meier, Orcutt, Verdonik
Voted Nay: None
Absent: Piccirillo
- C. 2025-123 Resolution Authorizing the Purchase of a Street Sweeper
Moved: Guzman Second: Verdonik
All in favor
- D. 2025-124 Resolution Awarding Hillcrest Avenue Improvements
Moved: Verdonik Second: Calvi
All in favor
- E. 2025-125 Resolution Authorizing the Appointment of Peter Fitzpatrick – Water Utility Superintendent
Moved: Calvi Second: Orcutt
All in favor

DISCUSSION

Borough Administrator Matthew Guilder moved the cell tower discussion to the first item and introduced Peter Lupo who specializes in LCCC law to discuss the pros/cons of the cell tower lease. Coming in 3 years in advance, SBA is eager to renew and lock in but the municipality doesn't benefit from that at all. We have a lot of possibilities that will be beneficial to the community- we do not have to rush into this. It is recommended to reject the bid and weigh our options over the next couple of years. Councilman Calvi asked for clarification on multiple scenarios.

Mr. Guilder introduced Anthony from NOVO Connection who will be giving an insurance presentation. While he connected to our WIFI and equipment, Mr. Sean Duffy from the new Duffy's Celtic Crossing was introduced by Clerk Greco. She stated his liquor license resolution was the first one on the agenda. Mr. Duffy said he will be ready to open for Thursday night football.

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Anthony was now ready and presented information regarding a partially self-funded plan with stop loss insurance and max cost. He also brought on the implementation team manager, Denise, via call, to explain the implementation timeline process and both discussed fees for the program. Finally, they introduced Mike, President of Public Health Advisors, to discuss communication administration for the plan.

Robert Oostdyk, Borough Attorney, wanted to clarify proposed tax abatement ideas from the Mayor. While the Mayor wanted town-wide, we wouldn't meet the criteria. Also, the state caps the amount of the improvements. On the commercial side, we meet the criteria and have done some already. This could also open the door to redevelopment areas. All agreed to explore it further. It will go to the Planning Board for an authorized study.

Clerk Greco announced the 9/11 Memorial Walk will begin in Bloomingdale this year. Questioned whether we are doing the same agenda as previous years. All discussed whether we continue with this type of walk in the future or combine with Morris County or just do a service without the walk. She also reminded everyone that the Senior picnic is being held tomorrow, Sept. 3rd, at St. Anthony's due to ongoing construction at Silas Condict Park.

INVITATION FOR DISCUSSION FROM THE PUBLIC

Mayor Martinez opened the meeting to the public.

Seeing no one come forward a motion was made to close public comment.

Moved: Orcutt

Second: Calvi

All in favor

Councilman Meier inquired whether we can fine the telephone company for not changing out their poles in a timely manner. When Butler Electric comes in and changes out poles, it is then the responsibility of the telephone company to remove their lines as well and they take forever. Mr. Oostdyk said it is controlled by the BPU.

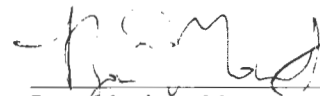
MOTION TO ADJOURN THE MEETING

Moved: Orcutt

Second: Calvi

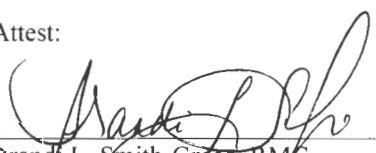
All in favor

Adjournment: 8:38 pm



Ryan Martinez, Mayor

Attest:



Branch L. Smith-Greco, RMC
Adopted: December 2, 2025

**BOROUGH OF BUTLER
RESOLUTION 2025-115**

**AUTHORIZING THE PERSON-TO-PERSON LIQUOR
LICENSE TRANSFER FROM JIGG'S CORNER, INC. TO
DUFFY'S CELTIC CROSSINGS INC. LOCATED AT
1248 ROUTE 23 NORTH, BUTLER, NJ**

WHEREAS, the Mayor and Council of the Borough of Butler are in receipt of a request for a *Person-to-Person* transfer of Liquor License Number 1403-33-005 from Jigg's Corner, Inc., 1248 Route 23 North, Butler NJ 07405 to Duffy's Celtic Crossings Inc., 1248 Route 23 North, Butler, NJ 07405; and

WHEREAS, the Borough Clerk is in receipt of an application for a *Person-to-Person* transfer, fees for same, proof of notification advertised in the local papers, consent to transfer, notification letter for the closing date of license purchase, and alcoholic beverage retail licensee clearance certificate (transfer) provided by Duffy's Celtic Crossings Inc. as required by ABC license transfer guidelines; and

WHEREAS, the *Person-to-Person* application and supporting documents have been reviewed, including the source of funds, by the Police, Fire, Heath and Building Departments, found to be compliant and no objections to the issuance of a *Person-to-Person* transfer of said liquor license; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, in the County of Morris and State of New Jersey, that the Borough hereby approves the transfer of the *Person-to-Person* license as follows:


TRANSFER


Liquor License Number 1403-33-005 from Jigg's Corner, Inc., 1248 Route 23 North, Butler, NJ to Duffy's Celtic Crossings Inc., 1248 Route 23 North, Butler, NJ.

The Borough Clerk is authorized to endorse the license certificate to the new owner as follows:

This License, subject to all its terms and conditions, is hereby transferred to Duffy's Celtic Crossings Inc.

Adopted: September 2, 2025


Brandi L. Smith-Greco, RMC


Ryan Martinez, Mayor

BOROUGH OF BUTLER

RESOLUTION R 2025-122

**RESOLUTION AWARDING CONTRACT TO USG WATER/UTILITY
SERVICE CO., INC. FOR THE REHABILITATION AND ONGOING
MAINTENANCE OF THE BOROUGH'S WATER STORAGE TANKS
THROUGH A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT**

WHEREAS, the Borough of Butler is the owner and operator of two municipal water storage tanks, the 1,000,000 gallon standpipe and the 1,500,000 gallon standpipe located on Bubbling Brook Road; and

WHEREAS, the Borough has determined it necessary and in the public interest to undertake the rehabilitation, renovation, and long-term maintenance of said water tanks to ensure compliance with NJDEP standards and to preserve the Borough's essential public water infrastructure; and

WHEREAS, the Borough has pursued this project through the Public-Private Partnership (P3) process as permitted by New Jersey law, subject to the review and approval of the Local Finance Board; and

WHEREAS, proposals were solicited and reviewed, and the Borough Administration have recommended the award of a comprehensive rehabilitation and maintenance contract to USG Water/Utility Service Co., Inc., with offices at 535 General Courtney Hodges Boulevard, Perry, Georgia; and

WHEREAS, the total not-to-exceed cost of this long-term rehabilitation and maintenance program for the period 2025 through 2044 is \$4,718,870, as set forth in the draft Maintenance Program Contracts prepared July 1, 2025 for the 1.0MG and 1.5MG standpipe tanks; and

WHEREAS, at a public hearing prior entering into a Public Private Partnership, the Borough has reviewed the project's benefits, costs, risks, and alternatives, and has determined that pursuing this project through a Public Private Partnership is the most advantageous option to meet public need, ensure timely and efficient completion, and provide the most significant overall benefit to the Borough and its residents; and

WHEREAS, funding for the initial phase of the project is available in the Borough's duly adopted current year Capital Budget, and the Borough anticipates providing for the balance of payments through future appropriations in the Borough's annual Operating and/or Capital Budgets over the duration of the Agreement; and

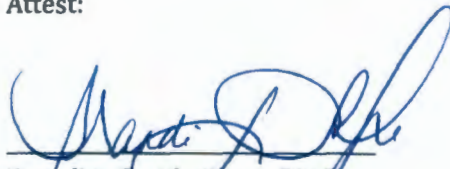
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, in the County of Morris and State of New Jersey, as follows:

1. The contract for the rehabilitation and ongoing maintenance of the Borough's water storage tanks is hereby awarded to USG Water/Utility Service Co., Inc., in the total amount of \$4,718,870 for the period 2025–2044, subject to review and approval of the Public–Private Partnership Agreement by the Local Finance Board.
2. The Mayor and Borough Clerk are hereby authorized to execute the Public–Private Partnership Agreement and related contracts with USG Water/Utility Service Co., Inc. on behalf of the Borough, subject to attorney review.
3. The Chief Financial Officer has certified that funds are available for the initial year of the Agreement in the current capital budget, and that funding for subsequent years shall be provided for in future Operating and/or Capital Budgets as necessary and appropriate.
4. A copy of this Resolution, once adopted, shall be placed on file with the Borough Clerk and transmitted to the New Jersey Department of Community Affairs, Local Finance Board, in accordance with the P3 process requirements.

Approved: 9/2/25


Ryan Martinez, Mayor

Attest:


Brandi L. Smith-Greco, RMC
Dated: September 2 2025

BOROUGH OF BUTLER
RESOLUTION NO. R 2025-123

RESOLUTION APPROVING THE PURCHASE OF A STREET SWEEPER

WHEREAS, the Borough of Butler ("Borough") has determined the need to acquire a new street sweeper for the Department of Public Works; and

WHEREAS, the Borough issued a public bid for the acquisition of a street sweeper and received no bidders; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12(a) and N.J.S.A. 52:34-6.2(b), contracting units may, without advertising for bids, purchase goods or services through a nationally recognized cooperative purchasing agreement, provided the cooperative contract has been made available by the State Division of Local Government Services; and

WHEREAS, the Borough is a registered member of Sourcewell (Member #27870), a national cooperative purchasing organization, which has publicly bid and awarded Contract #111522-TYM to TYMCO, Inc. for street sweepers; and

WHEREAS, TYMCO, Inc., through its authorized dealer, Trius, has provided the Borough with a Sourcewell cooperative purchase quote dated August 7, 2025, in the total amount of **\$341,970.00** for a Model 600 Sweeper and Freightliner chassis, inclusive of options and delivery; and

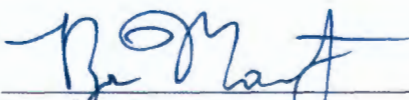
WHEREAS, the Borough has conducted a cost analysis demonstrating that acquisition through Sourcewell is the most cost-effective means of procurement; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the following accounts: C-04-55-535-505 & C-04-55-535-506; and

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 purchase of one (1) TYMCO Model 600 Sweeper with Freightliner chassis in the amount of \$341,970.00 is hereby approved through Sourcewell Contract #111522-TYM.
2. The Borough Administrator is authorized to execute any purchase orders and related documents necessary to effectuate this purchase.

Adopted: September 2nd, 2025



Ryan Martinez, Mayor

Attest:



Brandi L. Smith-Greco, RMC

**BOROUGH OF BUTLER
RESOLUTION NO. R 2025-124**

RESOLUTION AWARDING HILLCREST AVENUE IMPROVEMENTS

WHEREAS, Notice to Bidders for the Hillcrest Avenue Improvements project was duly advertised in accordance with the Local Public Contracts Law; and

WHEREAS, four (4) bids were received, opened, and read on August 28, 2025, by the Borough Engineer, Thomas A. Boorady, P.E, Borough Administrator Matthew Guilder and Borough Clerk Brandi Smith-Greco.; and

WHEREAS, the bid results were as follows:

Portofino Builders LLC	\$297,680.70
Mike Fitzpatrick Contractors Inc.	\$309,747.00
DLS Contracting, Inc.	\$382,532.00
Cifelli & Son General Contracting Inc.	\$490,412.00

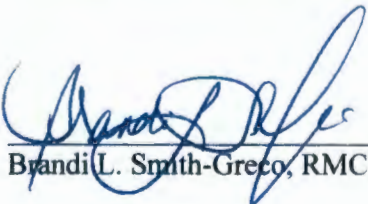
WHEREAS, per the Engineer's review and recommendation, the low bidder Portofino Builders LLC. is deemed the lowest responsible and responsive bidder; and


WHEREAS the Chief Financial Officer has certified that funds in the amount of \$297,680.70 are available in the following accounts: C-04-55-535-501 & C-04-55-535-502 and has further certified that this commitment, together with all previously made commitments and payments, does not exceed the funds available in said appropriations, and that said funds are intended for the purpose herein committed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, County of Morris, State of New Jersey, that the contract for Hillcrest Avenue Improvements be awarded to the low bidder, Portofino Builders 69 Irwin St. Springfield, NJ 07081 at their bid price of \$297,680.70; and

BE IT FURTHER RESOLVED that the Mayor, Municipal Clerk, and Borough Administrator are hereby authorized to execute the agreement for this project award.

Adopted: September 2nd, 2025


Brandi L. Smith-Greco, RMC


Ryan Martinez, Mayor

Dated: September 2nd

BOROUGH OF BUTLER
RESOLUTION NO. R 2025-125

RESOLUTION AUTHORIZING THE APPOINTMENT OF
PETER FITZPATRICK – WATER UTILITY SUPERINTENDENT

WHEREAS, the Borough of Butler has a need to fill the position of Water Utility Superintendent within the Butler Water Department; and

WHEREAS, after conducting interviews and evaluating candidates, the Borough has determined that Peter Fitzpatrick is qualified to assume the role; and

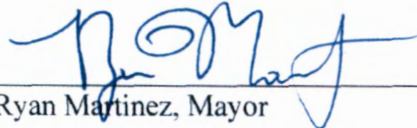
WHEREAS, this position is non union and a salary provision of \$155,000 has been determined for this role.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Butler do hereby authorize the appointment of Peter Fitzpatrick as Water Utility Superintendent pending ratification of an employment agreement and successful completion of all pre-employment requirements.

Adopted: September 2nd, 2025



Brandi L. Smith-Greco, RMC



Ryan Martinez, Mayor

Dated: September 2nd