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WORKSHOP MEETING
MAY 3, 2022
7:00 P.M.
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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 Fox, Councilman Piccirillo and Council President Verdonik

ABSENT: Councilman Meier, Councilman Regis

Motion to Excuse Meier and Regis:

Moved: Verdonik

Second: Fox

All in favor

ALSO PRESENT: James Lampmann, Borough Administrator; Robert Oostdyk, Borough Attorney, Bill Budesheim, Zoning Officer/Planning Board Secretary and Brandi Smith-Greco, Acting Borough Clerk.

RESOLUTION(S)

R 2022-49 RESOLUTION RELEASING MNB REALTY CO., LLC FROM PERFORMANCE GUARANTEE

Moved: Fox

Second: Verdonik

Voted Aye: Calvi, Fox, Piccirillo, Verdonik

Voted Nay: None

Absent: Meier, Regis

APPROVAL OF MINUTES

April 5, 2022

Moved: Verdonik

Second: Piccirillo

All in favor

Discussion –Attorney Thomas Vigneault came forward on behalf of KPT Health & Wellness requesting permission to apply for a conditional license to sell marijuana. The council agreed to provide the required letter on Borough letterhead stating the applicant meets the requirements of the Borough ordinance. KPT has retained legal counsel from a firm experienced with cannabis sales and once they receive approval from the state, they will move forward. Council inquired about potential locations and reminded them to consider parking availability. Mr. Lampmann informed them that while there is no cap on the number of licenses, the number will be restricted based on the distance and location requirements in the Borough ordinance.

Discussion – Bill Budesheim proposed amendments to several Zoning and Land Use Ordinances. Most are updates and housekeeping issues. Other topics addressed were:

- Adjusting initial escrow deposits for the billable hours for engineer review
- Zoning code change to property located on Rt 23 from Residential to Highway Commercial
- Using a condensed version of our Zoning & Planning Board Variance Applications
- Whether we restrict messages/ads on privately owned digital signs and billboards
- Possible use of an “Overlay Zone” to encourage development on Main Street
- Proposed use of “Grannie Pods” or “Tiny Houses” on private property
- Requiring applicants to provide digital copies of plans rather than paper copies in order to cut down on storage needs and provide easier access for OPRA requests, etc.

Borough Attorney, Robert Oostdyk, noted that a Master Plan Review would need to be done to modify the majority of these issues.

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Discussion –Council President Ray Verdonik proposed a \$650,000.00 budget for the playground. Jim Lampmann noted we need to move on this ASAP as we are “chasing a moving target” and the longer this goes on, the more the prices increase. A few changes were discussed to cut costs in regards to planters and surface covering. Council agreed a Bond Ordinance will be introduced at the next meeting.

OPEN PUBLIC DISCUSSION

Borough Clerk, Brandi Greco, reminded everyone that the plastic bag ban goes into effect on May 4th. The sign in the park will be updated with the information. The Health Dept received a grant to purchase multi-use canvas bags so 2,500 blue “Butler” bags will be available to residents at Borough Hall.

Seeing no one else come forward to speak a motion was made to close the public portion of the meeting.
Moved: Fox
All in favor

Second: Calvi


MOTION TO ADJOURN

Moved: Fox
All in favor

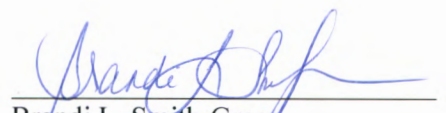
Second: Verdonik

ADJOURNMENT: 7:58 p.m.

Approved: July 19, 2022



Ryan Martinez, Mayor



Brandi L. Smith-Greco
Acting Municipal Clerk

**BOROUGH OF BUTLER
RESOLUTION 2022-49**

**RESOLUTION RELEASING MNB REALTY CO., LLC FROM
PERFORMANCE GUARANTEE**

WHEREAS, MNB Realty Co., LLC, the developers of property known as Block 76.05, Lot 6.11, 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

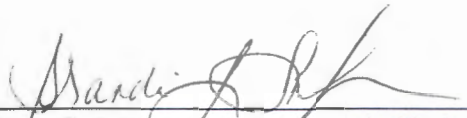
WHEREAS, the Borough Engineer has inspected all improvements of which such notice has been given and has recommended the release of the Performance Guarantee covering such improvements; and

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

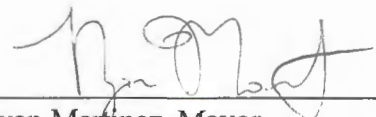
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Butler, in the County of Morris and State of New Jersey, as follows:

- Section 1.** The Borough of Butler releases MNB Realty Co., LLC from liability under the Performance Guarantee posted in conjunction with the development of Block 76.05, Lot 6.11 and the Clerk is authorized and directed to release the following Performance Guarantee being held by the Borough:
- Irrevocable Standby Letter of Credit No. SLC-004/21 issued by Interaudi Bank in the amount of \$200,000.00
- Section 2.** the requirement for a Maintenance Bond is waived due to the fact that the improvements were installed more than two years ago.
- Section 3.** The Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the developer.

Adopted this 3rd day of May, 2022



Brandi Greco, Acting Borough Clerk



Ryan Martinez, Mayor

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ROLL CALL

PRESENT: Mayor Martinez, Councilman Calvi, Councilman Fox, Councilman Meier, Councilman Regis and Council President Verdonik

ABSENT: Councilman Piccirillo

Motion to Excuse Councilman Piccirillo:

Moved: Fox

Second: Meier

All in favor

ALSO PRESENT: James Lampmann, Borough Administrator; Robert Oostdyk, Borough Attorney and Brandi Greco, Acting Borough Clerk.

RESOLUTION(S)

R 2022-42 RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE BOROUGH OF BUTLER NOT NEEDED FOR PUBLIC USE

Moved: Verdonik

Second: Fox

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

Voted Nay: None

Absent: Piccirillo

R 2022-43 RESOLUTION AUTHORIZING ENTRY INTO AND EXECUTION OF AN AGREEMENT WITH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM #2SOCCP

Moved: Fox

Second: Verdonik

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

Voted Nay: None

Absent: Piccirillo

APPROVAL OF MINUTES

March 1, 2022

Moved: Verdonik

Second: Fox

All in favor

March 15, 2022

Moved: Fox

Second: Verdonik

All in favor

Discussion – Alternate Route Police hiring

Mr. Lampmann explained that a recent change in legislation helps civil service towns like Butler hire police officers through the Alternate Route. This program has always existed but previously only for non-civil service towns. It allows the hiring of an officer who has already successfully completed the academy. This will benefit the town financially as the cost of the academy is approximately \$6,000-\$7,000 plus their salary. Additionally, it will allow us to have an officer on the job immediately rather than starting the academy in January and on the job next summer. The need for this is due to the retirement announcement of Chief Ciro Chimento. He will be retiring at the end of this year.

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OPEN PUBLIC DISCUSSION

Mayor Martinez opened the meeting to the public at this time.

John Ahmuty, Vice President of Tri-Boro Little League came forward requesting a donation from the Borough for a permanent shed at Walter T. Bergen Softball Field to house all equipment at the field. He has already approached Bloomingdale for new bleachers, a sunshade, windscreen and netting. He pointed out that half of their roster is comprised of Butler residents. The Council advised Mr. Ahmuty to proceed through the Butler Recreation Department as they have money allocated in their budget to assist these programs. The Borough itself cannot give the money directly because every activity would then request money and we could not pick and choose who to give it to. Mr. Lampmann explained that another avenue to explore would be obtaining a mini-grant through our Clean Communities Program by holding a clean-up project. They could raise \$250-\$500 with all of the supplies being provided by the Borough.

Mayor Martinez told the Council that the VFW requested exemption from paying their water, sewer and electric utility bills like they do in Boonton. Council agreed that they cannot grant this because then all non-profits, Knights of Columbus, Churches, etc. would then have to be granted the same exemption.

Mayor Martinez wants to re-address the creation of a co-op in town. He would like us to explore the option of being a "secondary agency" for a co-op, from which we would receive benefits. Mr. Lampmann asked for clarification if we would be a "Secondary Agent" or a "Member" and what our liability would be. Mr. Lampmann and Council all agreed that a lot more information is needed as it seems odd that a borough would be eligible to receive money for doing nothing. Mayor Martinez is going to research this and report at a later time.

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

Moved: Fox
All in favor

Second: Regis

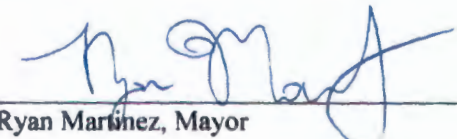
MOTION TO ADJOURN

Moved: Fox
All in favor

Second: Regis

ADJOURNMENT: 7:24 p.m.

Adopted: May 3, 2022



Ryan Martinez, Mayor



Brandi L. Smith-Greco
Acting Municipal Clerk