

MINUTES OF:
DATE OF MEETING:
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PAGE NO.

WORKSHOP MEETING
DECEMBER 6, 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. Mayor Martinez acknowledged the passing of Councilman Calvis’ parents, Mario & Emma Calvi as well as resident Ezra Coca.

ROLL CALL

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

ABSENT: Regis

Motion to excuse the absence of Councilman Regis: Fox Second: Calvi
All in favor

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

RESOLUTION(S)

R 2022-102 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER AUTHORIZING AN AGREEMENT WITH THE BOROUGH OF BLOOMINGDALE FOR THE PROVISION OF ANIMAL CONTROL SERVICES

Moved: Fox Second: Meier
Voted Aye: Calvi, Fox, Meier, Piccirillo, Verdonik
Voted Nay: None
Absent: Regis

R 2022-103 RESOLUTION AUTHORIZING SIGNATURE ON SHARED SERVICE AGREEMENT WITH THE BOROUGH OF BLOOMINGDALE TO PROVIDE CONSTRUCTION AND SUBCODE OFFICIALS

Moved: Fox Second: Meier
Voted Aye: Calvi, Fox, Meier, Piccirillo, Verdonik
Voted Nay: None
Absent: Regis

APPROVAL OF MINUTES

September 20, 2022
Moved: Fox Second: Verdonik
All in favor

ORDINANCE(S) FOR ADOPTION – PUBLIC HEARING

2022-15 ORDINANCE AMENDING CHAPTER 216, “TOWING AND STORAGE OF VEHICLES”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BUTLER AND AMENDING THE FEES AND CHARGES FOR TOWING

**Introduced: November 1, 2022
Advertised: November 9, 2022**

Brandi Greco opened this ordinance for public comment.
Seeing no one come forward, Councilman Fox made a motion to close and move 2022-15.

Moved: Fox Second: Verdonik
Voted Aye: Calvi, Fox, Meier, Piccirillo, Verdonik
Voted Nay: None
Absent: Regis

Discussion – Brandi Greco informed the Council which committees need vacancies filled for the upcoming year. The Mayor and Council made some recommendations and some are still pending. We will follow up next meeting. Brandi Greco inquired whether the museum received an application from Tom Decker. Councilman Meier, museum liaison, did not know and will follow up.

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Discussion – Brandi Greco reported that 2023 Towing Applications were received from Malanga’s and International Auto Body. They were approved by the BPD and reviewed by the Borough Attorney with some minor stipulations to be met. Brandi will follow up for the trailing documents.

Discussion – James Lampmann informed the Mayor and Council that the Police Dept. hired a candidate by way of the new Alternate Route process. He is a resident of Pequannock and is graduating from the Camden Academy on December 15th. Under the new requirements, he must be hired before graduating the academy so start date was December 5th.

Discussion – James Lampmann informed the Mayor and Council that that 2 Sergeants were moved to Lieutenants, so we now have to fill 2 Sergeant positions. Council agreed to wait to appoint until after negotiations.

Discussion – James Lampmann informed the Mayor and Council that Planet Networks would like to provide hi-speed internet and phone service in town for both residential and commercial accounts (no cable yet). This has been in the works for some time but they are finally ready to begin building-out in March. Mr. Lampmann is still reviewing the extensive contract and will report back at a later time. He anticipates a large annual savings for the Borough once this service is in effect.

Discussion – James Lampmann informed the Mayor and Council that the Trash and Recycling re-bid produced only 1 bid again from the same vendor. Mr. Lampmann is calculating options where we market out the recyclables ourselves. Mr. Lampmann advised that a new collection facility will be re-opening in the near future and he hopes this will drive down prices. Councilman Meier inquired picking up privately through the borough but Mr. Lampmann explained that for starters, we would be 3 years out due to lead-time on trucks. Additionally, the huge expense of 3 new trucks, as well as the need for an additional 9 employees all with benefits would not be practical. Mr. Lampmann explained the crucial importance of not exceeding the budget cap. All agreed to move forward on a month-to-month contract with our current vendor, Suburban Disposal, while Mr. Lampmann continues evaluating our options.

OPEN PUBLIC DISCUSSION

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

Moved: Fox

Second: Verdonik

All in favor

Brandi Greco informed the council she had some housekeeping issues:

- Council approved a half page ad for the 2023 BHS Yearbook.
- Clerk Greco presented an application from Butler United Methodist to use Butler Park for their Christmas Eve service. All were in favor.
- Council cancelled the June Workshop since it falls on Primary Election Day. The November Regular Council meeting will be held on Monday, November 6th due to General Election Day being on November 7th and the NJLOM meetings later in the month.
- The December 2023 Park Lighting will be on Friday, December 1st. Councilman Meier’s grandson will light the park for 2023.
- Clerk Greco inquired what charities Councilman Calvi would like donations sent to in honor of his parents who passed.
- Clerk Greco polled Council regarding a ceremonial acknowledgement for Councilman Regis as we reach the end of his almost 30 year term... Council will e-mail Brandi with suggestions.

CLOSED SESSION

R 2022-104 Resolution for Motion to meet in Closed Session – *Contract Negotiations*

Moved: Fox

Second: Piccirillo

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

Voted Nay: None

Absent: Regis

We returned to Open Session by a Motion from Fox, Second by Verdonik and all in favor.

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Mayor Martinez read a letter he received thanking the Mayor, Council and Administrator for their efforts in getting the Veterans street signs installed.

Mayor Martinez acknowledged Mr. Lampmann for all the grants he obtains for the Borough and inquired if we should announce with a press release. Mr. Lampmann said he doesn't need that public acknowledgement.

Mr. Lampmann announced assessment letters are going out again and does not want the public to panic. They will see increased values but the end result is taxes won't necessarily go up. He encourages them to read the entire letter and call with any further concerns.

Councilman Calvi said he and Councilman Piccirillo met a woman at NJLOM who would like to come in regarding an interactive map system and grants available for NJ Highlands water protection and planning services. Mr. Lampmann suggested they come to a workshop meeting. Councilman Calvi will set that up.

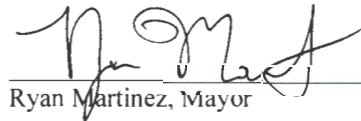
MOTION TO ADJOURN

Moved: Fox
All in favor

Second: Piccirillo

ADJOURNMENT: 7:55 p.m.

Approved: January 17, 2023



Ryan Martinez, Mayor



Brandi L. Smith-Greco, RMC

**BOROUGH OF BUTLER
RESOLUTION R 2022-102**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER
AUTHORIZING AN AGREEMENT WITH THE BOROUGH OF BLOOMINGDALE
FOR THE PROVISION OF ANIMAL CONTROL SERVICES**


WHEREAS, the Borough of Butler is in need of Animal Control Services for the Borough; and

WHEREAS, Borough of Bloomingdale has previously provided said services and has expressed a desire to continue providing said services; and

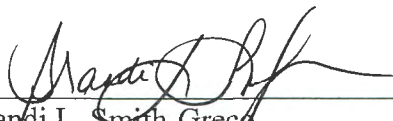
WHEREAS, the Chief Financial Officer of the Borough of Butler has certified that funds are available for these services.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Butler that the Mayor and Borough Clerk are hereby authorized to enter into an interlocal services agreement with the Borough of Butler for Animal Control Services for a five year period from January 1, 2023 through December 31, 2027, a copy of the agreement is on file in the office of the Borough Clerk.

Adopted: December 6, 2022



Ryan Martinez, Mayor



Brandi L. Smith-Greco
Acting Borough Clerk

Dated: December 6, 2022

**BOROUGH OF BUTLER
RESOLUTION R 2022-103**

**Resolution Authorizing Signature on Shared Services Agreement with the
Borough of Bloomingdale to Provide Construction and Subcode Officials**

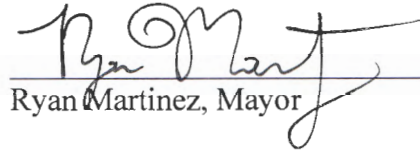
WHEREAS, the Borough of Butler desires to sign an agreement with the Borough of Bloomingdale to provide Construction and Subcode Officials for the term beginning January 1, 2023 through December 31, 2027; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq. authorizes municipalities to contract with each other for shared services; and

WHEREAS, this contract is in compliance N.J.A.C.23 Chapter 5 et seq. (Uniform Construction Code);

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council approve signature on the agreement.

Adopted: December 6, 2022



Ryan Martinez, Mayor

ATTEST:



Brandi L. Smith-Greco
Acting Borough Clerk

Dated: December 6, 2022

BOROUGH OF BUTLER**ORDINANCE NO. 2022 – 15****ORDINANCE AMENDING CHAPTER 216, “TOWING AND STORAGE OF VEHICLES”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BUTLER AND AMENDING THE FEES AND CHARGES FOR TOWING.**

Section 1. Chapter 216, “Towers and Wreckers,” Section 216-11, “Service Rates” of the Revised General Ordinances of the Borough of Butler shall be amended to read in its entirety as follows:

§ 216-11. Service Rates.

A. Towing fees and other charges shall conform with the New Jersey State Police Towing Rate published and updated on an annual basis.

B. Special circumstances.

(1) If the owner of an unattended vehicle to be towed appears on the scene and provided that the vehicle does not need to be towed or impounded, the towing contractor shall make no charge. However, if the vehicle is hooked up to the towing truck, the vehicle shall be released at the scene of impound upon the payment of 50% of the authorized towing charge (decoupling fee).

(2) There shall be no charge for towing, storage or impoundment if it is determined by the Police Chief or his or her designee that such vehicles have been towed, stored or impounded due to an error by the tow truck operator or the Police Department. This determination shall be at the sole discretion of the Police Chief or his or her designee and is binding upon the contractor. The contractor shall make no claims for payment upon the owner of the vehicle, and if payment has already been received, the payment shall be returned.

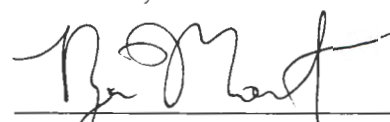
(3) There shall be no charge for the towing of police vehicles.


Section 2. This Ordinance may be renumbered for codification purposes.

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 immediately after final passage and publication in the manner provided by law.

Adopted this 6th day of
December, 2022



Ryan Martinez, Mayor

Brandi Greco, Acting Borough Clerk

BOROUGH OF BUTLER
RESOLUTION NO. 2022-104
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 6th day of December, 2022, 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.
- (X) 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. *(Tax Appeal: B 300 L 32.04)*
- () 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).

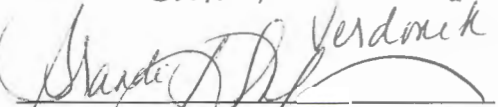
Date: December 6, 2022


Moved: Fox

Second: Piccirillo

Roll Call: Calvi, Fox, main, Piccirillo,

Absent: Regis


Brandi L. Smith-Greco, Acting Clerk


Ryan Martinez, Mayor