

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

WORKSHOP MEETING  
OCTOBER 4, 2022  
7:00 P.M.  
1

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 Meier, Councilman Piccirillo, Councilman Regis and Council President Verdonik

ABSENT: None

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

**RESOLUTION(S)**

**R 2022-82 RESOLUTION OF THE BOROUGH OF BUTLER AUTHORIZING AN OPERATION AND MAINTENANCE AGREEMENT BETWEEN THE BOROUGH OF BUTLER AND THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY**

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

Second: Calvi

**APPROVAL OF MINUTES**

August 16, 2022  
Moved: Fox  
All in favor

Second: Verdonik

**DISCUSSION** James Lampmann explained we are up for renewal in the Morris County Joint Insurance Fund. Council unanimously agreed to renew via Resolution.

**R 2022-83 RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

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

Second: Calvi

**OPEN PUBLIC DISCUSSION**

Mayor Martinez opened the meeting to the public for discussion. Seeing no one in attendance, a motion was made to close public oration.  
Moved: Fox  
All in favor

Second: Verdonik

**CLOSED SESSION**

**R 2022-84 Motion for Executive Session for Contract Negotiations**  
Moved: Verdonik  
Voted Aye: Calvi, Fox, Meier, Piccirillo, Regis, Verdonik  
Voted Nay: None  
Absent: None

Second: Piccirillo

We returned to Open Session by a motion from Regis, seconded by Verdonik and all in favor.

**MOTION TO ADJOURN**

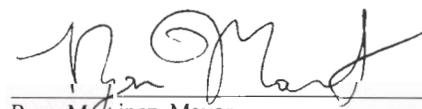
Moved: Fox  
All in favor

Second: Regis

ADJOURNMENT: 7:15 p.m.

Approved: October 18, 2022

  
Brandi L. Smith-Greco, Acting Municipal Clerk

  
Ryan Martinez, Mayor

BOROUGH OF BUTLER  
RESOLUTION NO. 2022-82

RESOLUTION OF THE BOROUGH OF BUTLER AUTHORIZING AN OPERATION AND  
MAINTENANCE AGREEMENT BETWEEN THE BOROUGH OF BUTLER AND THE  
PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

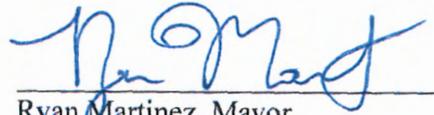
WHEREAS, the Pequannock River Basin Regional Sewerage Authority owns certain interceptors located within the Boroughs of Bloomingdale, Butler, Kinnelon and Riverdale and desires to provide maintenance and operation of the same; and

WHEREAS, the Borough of Butler has the capability and willingness to meet and provide the performance requirements at the consideration contained in the contract on file in the office of the Municipal Clerk; and

WHEREAS, the Borough of Butler employs individuals who are licensed in accordance with the requirements of the State of New Jersey to perform these services; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Butler hereby authorizes the Mayor and Borough Clerk to sign the contract for the length and terms stated therein.

Dated: October 4, 2022

  
Ryan Martinez, Mayor

  
Brandi L. Smith-Greco  
Acting Clerk



MINUTES OF:  
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COUNCIL MEETING  
AUGUST 16, 2022  
7:00 PM  
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**PRESENTATION OF CORRESPONDENCE, PETITIONS**

None

**ORDINANCE(S) FOR ADOPTION – PUBLIC HEARING**

None

**ORDINANCE(S) FOR INTRODUCTION**

None

**RESOLUTION(S)**

R 2022-68 Resolution Authorizing Passage of a Special Consent Agenda \*  
Moved: Fox Second: Verdonik  
All in favor

- \* R 2022-69 Resolution Approving the Inactive Alcoholic Beverage License Renewal for Tommy Yam for the 2022-2023 and 2023-2024 Licensing Terms.
- \* R 2022-70 Resolution Authorizing Chief Ciro Chimento to purchase his duty weapon due to retirement at the end of the year.
- \* R 2022-71 Resolution Authorizing Refunds, Overpayments or Cancellations in the Tax Office
- \* R 2022-72 Resolution Authorizing Refunds, Overpayments or Cancellations in the Electric Dept.

R 2022-73 Resolution Authorizing the issuance of not exceeding 6,641,725.00 Bond Anticipation Notes of the Borough of Butler  
Moved: Fox Second: Verdonik  
Voted Aye: Fox, Meier, Piccirillo, Regis, Verdonik  
Voted Nay: None  
Absent: Calvi

R 2022-74 Resolution opposing the proposed rate increases of the SHBP  
Moved: Fox Second: Verdonik  
All in favor

**NEW/UNFINISHED BUSINESS**

- Carry/Conceal Gun Legislation- Chief Chimento submitted a memo suggesting limitations regarding the new carry/conceal gun legislation and inquired whether we are enacting any limits on the areas where someone can carry a gun. The Mayor strongly disagreed with enforcing “Gun Free Zones” anywhere in this town and said he will not sign anything supporting that. Council had varying opinions. Mr. Lampmann suggested putting limitations such as recreational facilities like Stony Brook where when entering the water, the gun could possibly be left unattended and in the reach of a child. In favor of drafting limitations are Verdonik and Fox. Not in favor are: Meier, Piccirillo and Regis. Mr. Lampmann will inform the Chief.
- Approval of new Firefighter application - Salvatore Ciccone. Council unanimously approved the application.
- Butler United Methodist use of Butler Park – Use permitted with picnic food as long as they are responsible for full clean-up with their own trash bags and receptacles. No food/trash bags left in the park.
- Brandi Greco asked for confirmation of the Council’s attendance for the 9-11 Memorial Walk from Butler to Bloomingdale.
- Garbage Contract Renewal- Mr. Lampmann prepared specs for the renewal with both single stream and co-mingled options. Another option not included is that the Borough be responsible for the marketing of recyclables but that would be a risk as it is difficult to budget. We will advertise this weekend for bid in October and award in November.

**INVITATION FOR DISCUSSION FROM THE PUBLIC**

Mayor Martinez opened the meeting to the public for discussion.  
Seeing no one come forward, a motion was made to close this public portion.  
Moved: Fox Second: Regis  
All in favor

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COUNCIL MEETING  
AUGUST 16, 2022  
7:00 PM  
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**CLOSED SESSION**

**R 2022-75 Motion for Executive Session for Contract Negotiations and Tax Appeal Settlement**

Moved: Regis  
All in favor

Second: Fox

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

**R 2022-76 Resolution Authorizing the Settlement of Tax Appeal: Lombardo, Salvatore & Donna vs. Borough of Butler for B 300 L 32.04**

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

Second: Fox

Mr Lampmann requested volunteers for the negotiating committee for the Blue Collar contract negotiations. Fox, Meier and Verdonik volunteered.

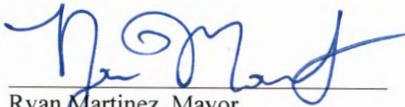
**MOTION TO ADJOURN THE MEETING**

Moved: Fox  
All in favor

Second: Regis

Adjournment: 7:40 p.m.

Adopted: October 4, 2022.

  
\_\_\_\_\_  
Ryan Martinez, Mayor

Attest:

  
\_\_\_\_\_  
Brandi L. Smith-Greco  
Acting Borough Clerk  
Dated: October 4, 2022

**BOROUGH OF BUTLER  
RESOLUTION 2022-83**

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY  
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the **Borough of Butler** is a member of the Morris County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The **Borough of Butler** agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

This Resolution agreed to this 4<sup>th</sup> day of October, 2022 by a vote of:

Affirmative: 6

Negative: 0

  
\_\_\_\_\_  
MAYOR

10/4/2022  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
MORRIS COUNTY MUNICIPAL  
JOINT INSURANCE FUND

**AGREEMENT TO RENEW MEMBERSHIP IN THE  
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Morris County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

WHEREAS, is currently a member of said Fund, and;

WHEREAS, effective December 31, 2022, said membership will expire unless earlier renewed, and;

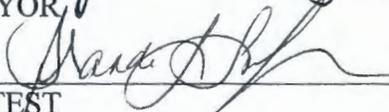
WHEREAS, the Governing Body of **Butler Borough** has resolved to renew said membership;

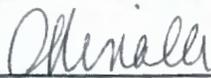
NOW THEREFORE, it is agreed as follows:

1. **Butler Borough** hereby renews its membership in the Morris County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2023 and ending January 1, 2026 at 12:01 am.
2. **Butler Borough** hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Morris County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Banking and Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. **Butler Borough** agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of **Butler Borough** in the Morris County Municipal Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of **Butler Borough**.
5. Executed the day 4<sup>th</sup> of Oct. 2022 as the lawful and binding act and deed of **Butler Borough**, which execution has been duly authorized by public vote of the governing body

  
\_\_\_\_\_  
MAYOR

10/4/2022  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ATTEST

  
\_\_\_\_\_  
**MORRIS COUNTY MUNICIPAL  
JOINT INSURANCE FUND**

BOROUGH OF BUTLER  
RESOLUTION NO. 2022-84  
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 4<sup>th</sup> day of October, 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):

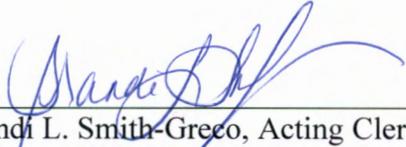
- ( ) B. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- ( ) B. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- ( ) B. (3) A matter the disclosure of which 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.

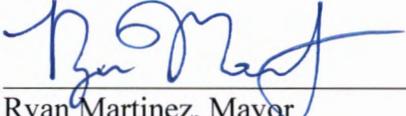
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Moved: *Verdonik*

Second: *Piccirillo*

Roll Call: *Calvi, Fox, Heis, Piccirillo, Regis, Verdonik*

  
\_\_\_\_\_  
Brandi L. Smith-Greco, Acting Clerk

  
\_\_\_\_\_  
Ryan Martinez, Mayor