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WORKSHOP MEETING  
OCTOBER 4, 2011  
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The Workshop Meeting of the Borough of Butler Mayor and Council was opened by Mayor Alviene 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.

**ROLL CALL**

PRESENT: Council President Edwin Vath, Councilman Robert Fox, Councilman Stephen Regis, Councilman Raymond Verdonik, Councilman Robert Meier and Councilwoman Judith Woop  
ABSENT: Mayor Robert W. Alviene

ALSO PRESENT: J. Lampmann, Borough Administrator; R. Oostdyk, from the Office of the Borough Attorney and M. O'Keefe, Borough Clerk

Councilman Regis made a motion to excuse Mayor Alviene's absence, second by Councilman Fox All in favor.

**R 2011-100 CHANGE ORDER BARTHOLDI AVENUE IMPROVEMENTS**

Moved: Fox Second: Meier  
Voted Aye: Woop, Verdonik, Meier, Fox and Regis  
Voted Nay: None  
R 2011-100 adopted.

Mr. Lampmann explained that the original project was extended to include the area up to Washington Street; at the request of the fire chief an additional fire hydrant was installed in the area of Saint Anthony's school and Church; the new hydrant will provide better coverage in the event of a fire. The additional work resulted in an increase of \$21,518.00, bringing the total contract cost to \$419,584.00; monies are available in the Capital budget to cover this increase.

Councilman Fox noted that this was the perfect time for the extension of the project as the road was open; the contractors were there this kept costs contained. Councilman Verdonik concurred noting that additional costs would accrue if the work were deferred to a future date. The Council concurred regarding the timing and noted water pressure would increase in the area because of this project.

**DISCUSSION REGARDING FEE INCREASES FOR CERTAIN FEES CHARGED BY THE BOROUGH**

In the continuation of a discussion held at the September 6, 2011 Workshop regarding the fees for liquor licensing, after additional research it was decided that the increase be limited to 10% which equals \$0.47 a day. Councilman Regis noted that a 10% increase is better for the licensees than a 20% increase.

The ordinance introducing this and other fee increases will be introduced at the October 18, 2011 meeting. Increases will not be in effect until 2012.

**OPEN PUBLIC DISCUSSION**

Council President Vath opened the meeting to the Public to speak on any subject.

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**Sandy Bruno, 18 Cleary Avenue** noted that Struble Avenue is in horrendous shape and she would like to know when repairs are scheduled for this road.

Mr. Lampmann noted that the area has had three major water main breaks in the last five years; this has led to the current condition of the road, rather than expending any additional funds on road pavement when the water main required replacement the Borough has been setting aside funds for the replacement. After much negotiating the Council approved a developers agreement at the September 20, 2011 Council Meeting that will provide appropriate funding to do the water main replacement project. The water main to be replaced is from Morse Avenue up to Cleary Avenue, with a slight extension into Sanders Place. Since there is, a portion of both the Struble and Cleary Avenue water mains that do not connect, one of the issues will include the connection of these water mains. The project should take approximately two weeks, after that time the road will be skim coated with asphalt, depending on the timing of the project and its completion the road might or might not be paved prior to winter, depending on settlement of the trench.

**Peter Stagg, 6 Aten Court** noted that although the Department of Public Works does a very good job plowing roads, Struble Avenue has deteriorated so much that the work is required prior to winter. Mr. Stagg questioned the time frame for the installation of the new hi-tech internet read electric meters. Lastly, Mr. Stagg inquired as to the usage of internet over power lines.

**Michael Leibrunder, 84 Summit Avenue** wanted to thank the Borough for the improvement in his water quality; he questioned his electric bill being \$971.38 he felt that was excessive, as he has one air conditioner in a single family home with his wife and himself living there. Mr. Leibrunder provided his account number to Mr. Lampmann so the Borough may do meter testing.

Mr. Lampmann explained that he would have a meter test done on Mr. Leibruders meter. Regarding Mr. Stagg's inquiry about the new internet read electric meters the equipment is currently being installed at the substation; initially there will be a test section of approximately 50 meters to work out any problems that may exist. Once any issues that arise are resolved, then the mass changeover will take place. Additionally, the Borough did not want to shut one of the substations down during the peak usage periods that occur over the summer months. Mr. Lampmann noted that he had done some research into the viability of the internet over power lines, at this time it would not be feasible.

**Debbie Sammon, 80 Summit Avenue** asked if the current 8-week recreation program could be extended an additional three weeks, until the school year begins which would extend the program through the end of August. Ms. Sammon noted that she had to find childcare for the three-week period prior to the start of the school year and she felt that this would benefit other families in need of extended day care.

Council President Vath noted that he is a member of the Recreation Committee; he will bring the issue to the Committee

Motion to close the public portion of the meeting.  
Motion: Fox  
All in favor.

Second: Regis

Motion to go into Closed Session.  
Moved: Fox  
All in favor.

Second: Regis

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Motion to adjourn closed session  
Moved: Fox  
All in favor.

Second: Verdonik

**R 2011-101 RESOLUTION AUTHORIZING AN AGREEMENT WITH DEVINE/KALLEBERG, LLC TO SERVE AS A HEARING OFFICER FOR A PERSONNEL MATTER**

Moved: Fox  
Voted Aye: Regis, Fox, Meier, Verdonik and Woop  
Voted Nay: None  
R2011-101 adopted.

Second: Regis

ADJOURNMENT: 7:35 p.m.

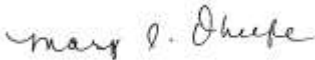
Adopted: October 18, 2011



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EDWIN VATH, COUNCIL PRESIDENT

Attest:



Mary A. O'Keefe, RMC  
Municipal Clerk

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**BOROUGH OF BUTLER  
RESOLUTION R2011-100**

**AUTHORIZING CHANGE ORDER #1  
FOR BARTHOLDI AVENUE WATER IMPROVEMENTS**

WHEREAS, the Borough of Butler authorized an agreement with Reivax Contracting on May 17, 2011 for the Bartholdi Avenue water improvements; and

WHEREAS, Darmofalski Engineering has determined that a change order should be approved to allow for the addition of water main replacement from Mabey Lane to Washington Street; and

WHEREAS, the Governing Body has approved said change order;

NOW, THEREFORE, BE IT RESOLVED that Change Order #1 be approved for \$21,518. The total cost of the contract (including the base bid and alternates 1 & 2) after this change order shall be adjusted to \$419,584.

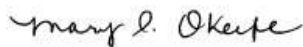
Approved:



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Edwin Vath, Council President

Attest:



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Mary A. O'Keefe, Borough Clerk

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**BOROUGH OF BUTLER  
RESOLUTION R-2011-100A**

**RE: Personnel**  
**DATE: October 4, 2011**  
**TIME: 7:15**

**MOTION BY: Fox**

**SECONDED BY: Meier**

RESOLUTION

**WHEREAS**, the Open Public Meetings Act, P.L.1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Borough Council is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Borough Council wishes to discuss:

**Personnel Issues**

**AND, WHEREAS**, minutes will be kept, and once the matter involving the confidentiality of the above no longer requires confidentiality, the minutes can be made public.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Butler that the public be excluded from this meeting.

<b>Roll Call:</b>	<b>Mr. Fox</b>	-	<b>Yes</b>
	<b>Mr. Regis</b>	-	<b>Yes</b>
	<b>Mr. Verdonik</b>	-	<b>Yes</b>
	<b>Mr. Meier</b>	-	<b>Yes</b>
	<b>Ms. Woop</b>	-	<b>Yes</b>

**MOTION TO ADJOURN CLOSED SESSION BY: Fox**  
**SECONDED BY: Verdonik**

<b>Roll Call:</b>	<b>Mr. Fox</b>	-	<b>Yes</b>
	<b>Mr. Regis</b>	-	<b>Yes</b>
	<b>Mr. Verdonik</b>	-	<b>Yes</b>
	<b>Mr. Meier</b>	-	<b>Yes</b>
	<b>Ms. Woop</b>	-	<b>Yes</b>

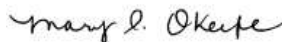
**CLOSED SESSION ADJOURNED: 7:30 p.m.**

Approved:



Edwin Vath, Council President

Attest:



Mary A. O'Keefe, Borough Clerk  
Dated: September 20, 2011

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**BOROUGH OF BUTLER  
RESOLUTION R2011-101**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER  
AUTHORIZING AN AGREEMENT WITH DEVINE/KALLEBERG, LLC FOR THE PURPOSES OF  
CONSULTING SERVICES**

**WHEREAS**, the Borough of Butler desires to retain the services of the Consultant to perform consulting services regarding serving as a hearing officer in disciplinary proceeding/employment matters within the Borough of Butler; and

**WHEREAS**, Devine/Kalleberg, LLC of 179-9 Route 46 West, # 218, Rockaway, New Jersey 07866 possess the necessary experience, qualifications, degrees, licenses, and/or certifications to serve as a hearing officer.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough of Butler Mayor and Council as follows:

1. The Mayor and Council hereby authorize the execution of a contract with Devine/Kalleberg, LLC, 179-9 Route 46 West, #218, Rockaway, New Jersey 07866 without the receipt of formal bids as an Extraordinary Unspecifiable Service as per N.J.S.A. 40A:11-5 (1) (a) (ii) and N.J.A.C. 5:34-2.3 (b).
2. This agreement is awarded without competitive bidding as an "Extraordinary Unspecifiable Services" under the provision of the Local Public Contracts Law.
3. A notice of this action shall be printed in the Suburban Trends as required by law within ten (10) days of its passage.
4. Devine/Kalleberg, LLC has supplied the necessary documentation and has incorporated in the contract the required Affirmative Action language for professional contracts as required by law.

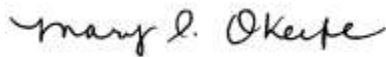
Approved:



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Edwin Vath, Council President

Attest:



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Mary A. O'Keefe, Borough Clerk

Dated: October 4, 2011