

MINUTES OF:  
DATE OF MEETING:  
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PAGE NO.

WORKSHOP MEETING  
FEBRUARY 7, 2012  
7:00 P.M.  
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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: Mayor Robert W. Alviene, Council President Edwin Vath, Councilman Robert Fox, Councilman Stephen Regis, Councilman Robert Meier and Councilman Sean McNear  
ABSENT: Councilman Raymond Verdonik

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

Motion to excuse the absence of Councilman Verdonik

Moved: Vath

Second: Regis

All in favor.

**R 2012-17 RESOLUTION AUTHORIZING LEASE OF OFFICE SPACE IN BOROUGH HALL TO THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY**

Moved: Fox

Second: Regis

Voted Aye: Vath, Fox, Regis, Meier and McNear

Voted Nay: None

Absent: Verdonik

R 2012-17 adopted.

**DISCUSSION:**

**KNOX BOXES**

Mr. Lampmann noted that the Public Safety Committee had met and discussed Knox or Lock boxes; a sample ordinance was provided to the Council, after review it was determined that the structures covered would be detailed in the ordinance as opposed to the referring to a section of the state statute that may change in the future. The ordinance will be prepared by the office of the Borough Attorney, with the types of buildings in the body and the type of box that is to be used. Ordinance to be introduced at February 21, 2012 meeting.

**TOWERCO RIGHT OF FIRST REFUSAL AGREEMENT BRANDT LANE SITE**

Towerco sent correspondence offering a onetime payout for the right to first refusal for the Brandt Lane site, it was determined that Mr. Oostdyk would research this matter and whether or not this is included in the original agreement and report his findings back to the Council.

**BUTLER UNITED METHODIST CHURCH REQUESTING USE OF BUTLER PARK FOR THE ANNUAL CROSSWALK APRIL 6 AND EASTER SUNRISE SERVICES APRIL 8**

The Mayor and the Council approved the use of the park, for the services, insurance information to be provided.

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**OPEN PUBLIC DISCUSSION**

Prior to opening the meeting to the Public Mayor Alviene asked Mr. Lampmann, what the status was of the Arch Street land transfer to the Passaic River Coalition. Mr. Lampmann noted that the status had not changed, Mr. Cigol of DMC Associates the Borough Surveyors was on premises and he stated for the record that he had not received any information from the Passaic River Coalition as of the close of business today. Mayor Alviene opened the meeting to the public.

**Sherry Bednarz-Mosier, 62 Arch Street** stated that she was told the information regarding the Arch Street land transfer to the Passaic River Coalition was supposed to be sent on either 2/7 or 2/8.

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

Second: Regis

**R 2012-18 RESOLUTION FOR EXECUTIVE SESSION**

Moved: Fox  
All in favor.

Second: Regis

Motion to adjourn closed session and reopen meeting to public.

Moved: Fox  
All in favor.

Second: Regis

Motion to adjourn the meeting.

Moved: Regis  
All in favor.

Second: Vath

ADJOURNMENT: 7:45 p.m.

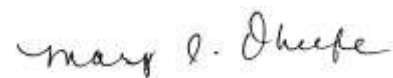
Adopted: February 21, 2012



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Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC  
Municipal Clerk

Dated: February 21, 2012

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BOROUGH OF BUTLER  
RESOLUTION R 2012-17

RESOLUTION AUTHORIZING THE LEASE OF CERTAIN OFFICE SPACE IN BOROUGH  
HALL TO THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Borough of Butler has available certain office space located at One Ace Road, Borough of Butler; and

WHEREAS, the Pequannock River Basin Regional Sewerage Authority is desirous of leasing said office space from the Borough of Butler; and

WHEREAS, N.J.S.A. 40A:12-14(b) authorizes a municipality to lease property to a public body.

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

Section 1. The Borough of Butler is hereby authorized to lease approximately 144 square feet of office space to the Pequannock River Basin Regional Sewerage Authority for a rent of \$6,000 for the period April 1, 2012 to March 31, 2014.

Section 2. The Mayor and Borough Clerk are authorized to sign the lease which has been approved by the Borough Attorney.

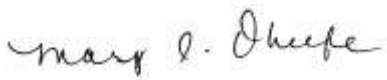
Adopted: February 7, 2012



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Robert W. Alviene, Mayor

Attest:



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Mary A. O'Keefe, RMC  
Municipal Clerk

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R 2012-18  
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler on the 17th day of January 2012, 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, subsection (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.
  - (X) B. (7) Pending or anticipated litigation or contract negotiations other than in Subsection b. (4) herein or matters falling within the attorney-client privilege.
  - ( ) 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: Fox

Second: Regis