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WORKSHOP MEETING
JUNE 4, 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, Councilman Robert Fox, Councilman Stephen Regis, Councilman Raymond Verdonik, Councilman Robert Meier and Councilman Sean McNear

ABSENT: Council President Vath

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

Motion by Councilman Regis, seconded by Councilman Fox to excuse Council President Vath for his absence.
All in favor.

R 2012-49 RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY FOR PURCHASING AGENT SERVICES

Mr. Lampmann explained that this agreement would provide savings that will ultimately be forwarded onto the consumers.

Moved: Regis

Second: Meier

Voted Aye: Regis, Fox, Meier and McNear

Abstained: Verdonik

Absent: Vath

Voted Nay: None

R 2012-49 adopted.

CORRESPONDENCE:

BUTLER HIGH SCHOOL ENVIRONMENTAL CLUB – The Environmental Club sent a letter thanking the Borough for the very generous donation of premium soil for the “Coins for Courtyard” school beautification project. Mr. Lampmann noted this project was done in conjunction with Clean Communities, as was the park beautification project. Additionally, Councilman Regis noted he received a call thanking the Borough for the clean up at the Manning Avenue cemetery.

DISCUSSION:

PROPOSAL TO CONDUCT SAFE DRINKING WATER COMPLIANCE STUDY –

Mr. Lampmann explained the water utility is required to comply with ever changing Federal and State regulations, as the filter plant is being modernized, assistance is required to ascertain that the changes being made are in compliance with current and anticipating future requirements while remaining cost effective. After meetings with various engineering firms, CH2M Hill Engineers Inc

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was most responsive and suited for the project. Additionally, they have received excellent reviews from former clients.

UPDATING THE FIRE PREVENTION SECTION OF THE CODE

Based on recommendations from Mr. Westdyk, Borough Fire Official changes to the current code are in order regarding various fees charged. An ordinance introducing these changes will be introduced at the June 19, 2012 meeting.

CAPITAL IMPROVEMENT PLAN

Mr. Lampmann explained that during the budget process various requests were received for capital projects throughout the year. Mr. Kozimor, CFO, and Mr. Lampmann reviewed the requests; the projects recommended herein are the most feasible for the Borough. Copy of 2012 Capital Budget attached. Mr. Lampmann noted that even with all the anticipated expenditures there will be monies left in the Capital Improvement Fund. The Council concurred with the selection of projects chosen and the ordinances may be prepared.

Mr. Lampmann introduced Joseph Niosi, Department of Public Works Superintendent, to those Council members present who had not met him. Mr. Niosi is currently working on preparing Stony Brook for the open house scheduled for June 9 and 10.

OPEN PUBLIC DISCUSSION

Sherry Bednarz-Mosier, 62 Arch Street

Regarding a statement she made at the May 15, 2012 Council Meeting calling for Councilman Meier to resign his position as Councilman. Councilman Regis read a letter he received from Chief James Neal of the Butler Fire Department, regarding two suspended firefighters John Futcher III and William Meier. Chief Neal noted that letters were mailed on February 27, 2012 informing both firefighters of their suspensions. Chief Neal noted that he received notification from members of the Bloomingdale Fire Department that Mr. Meier was present at a working fire on Ringwood Avenue his actions at this fire were not detailed so no action was taken. Chief Neal noted that at the April 28, 2012 fire on Morse Avenue both individuals were on site and assisted. When he received notification of their presence after the fire, he contacted the Butler Police Department; at the Department's suggestion on May 14, 2012, he issued another set of letters reminding the two firefighters of their suspension and to stay behind the fire line should they come upon an incident. On May 14, 2012, Mr. Meier was present at a fire scene on Manning Avenue and another letter was sent on May 15, 2012 reminding him of his suspension. The two suspended firefighters do not show up at all calls, however, they seem to wind up in the mix when they do show up. Councilman Regis noted he had photos that do not really show a whole lot.

After much discussion on the advice of C. Woods, representing the office of the Borough Attorney Mayor Alviene noted that, we cannot have personnel trials at Council Meetings. Mayor Alviene additionally noted that all procedures have been followed as required. Councilman Regis noted that all procedures have been followed and these rules must be followed. No determination can be made at this time as to how the next incident is handled; procedures must be followed and the Fire Chief must initiate whatever the next step is to be taken.

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Regarding the request for the Council to disqualify Councilman Meier, Mr. Woods reiterated that it is not in the power of the Council nor was it ever envisioned in the powers of the Council.

Mary Ann Holdsworth, 125 Bartholdi Avenue

Had a question regarding liability insurance for a suspended individual doing damage at a scene or being injured does the Borough's liability insurance coverage remains in effect for the individual. The insurance policy will be reviewed regarding this issue.

Ken Montanye, 5 North Western Avenue

Regarding the Fire Department section of the Borough Code specific disciplinary action is not listed nor is what benefits are still in effect for a suspended member. He would like the ordinance updated to include the reasons for suspension and the duties, which they are eligible for participation. Mr. Lampmann explained that no ordinances are in effect that detail specific disciplinary action or causes for disciplinary action. Additionally, reasons for disciplinary action are covered under standard operating procedures, and would be detailed in the notification of suspension that would be sent to the suspended individual. Councilman Regis reiterated that you could not list all possible reasons for suspension. Mr. Lampmann explained that an updated Borough of Butler Employee handbook would be distributed along with a copy of the ordinances covering the Fire Department. Additionally, regarding disciplinary procedures the onsite Chief would be responsible for any disciplinary action at the scene, as he would have firsthand knowledge, whereas the head Chief not present would be depending on hearsay. As to the issue of out of service Fire Hydrants throughout the Borough, approximately four are out of service. Mr. Lampmann responded that Mr. Niosi, DPW Superintendent would be aggressively working on repair and or replacement of these hydrants. Additionally, hydrants are located approximately every 500 feet, while the Fire trucks have approximately 1000 feet of hose. Councilman Regis noted that the number of broken fire hydrants has dramatically decreased over the years as replacement occurs; however, it takes time and money.

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

ADJOURNMENT: 7:47 p.m.

Adopted: June 19, 2012

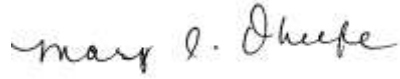


Robert W. Alviene, Mayor

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Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

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**BOROUGH OF BUTLER
RESOLUTION R 2012-49**

RESOLUTION AUTHORIZING THE BOROUGH OF BUTLER TO ENTER IN A SHARED SERVICES AGREEMENT FOR PURCHASING AGENT SERVICES WITH THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Borough of Butler (“the Borough”) and the Pequannock River Basin Regional Sewerage Authority (“the Authority”) both have a need for purchasing agent services; and

WHEREAS, it was determined that it would be mutually beneficial to share the services of a purchasing agent thus allowing both the Borough and the Authority to realize a reduction in costs for both agencies while benefiting both the taxpayers of the Borough and the users of the services of the Authority; and

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

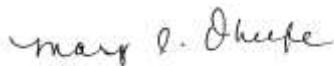
1. That the Borough Council authorizes the entrance into a shared services agreement with the Authority and authorizing the services of James Kozimor, Borough of Butler Qualified Purchasing Agent to act as the Purchasing Agent for the Authority pursuant to the terms and conditions stated forth in the Agreement on file in the office of the Borough Clerk.
2. A copy of the agreement shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs.

Adopted: June 4, 2012



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Date: June 4, 2012