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WORKSHOP MEETING
AUGUST 1, 2016
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 Alviene, Councilman Fox, Councilman Meier, Councilman Regis, Councilman Verdonik and Council President Vath

ALSO PRESENT: J. Lampmann, Borough Administrator, R. Oostdyk, Borough Attorney, M. O'Keefe, Borough Clerk

Motion to Excuse the absence of Councilman McNear

Moved: Verdonik

Second: Fox

All in favor.

Ordinance No. 2016-18 Authorizing the Execution of an Inter-Municipal Agreement Establishing the New Jersey Public Power Authority, a Municipal Shared Service Authority

Mr. Lampmann explained that the formation of this organization has been a long time coming. As one unit purchasing power, the savings will be greater for the Borough as power may be purchased in larger quantities which contributes to lower prices that will be passed on to our customers.

Public Hearing August 16, 2016

Moved: Fox

Second: Vath

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

Absent: McNear

Voted Nay: None

2016-80 Resolution Authorizing Entry into a Fire Mutual Aid Agreement Between Morris County Municipalities and Fire Districts

Ms. O'Keefe explained that based on the information she received this agreement is required to participate in the countywide mutual aid agreement. Chief Soules has reviewed the document and recommended its adoption.

Moved: Regis

Second: Meier

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

Absent: McNear

Voted Nay: None

2016-81 Resolution Awarding the Bid for Gifford Street Improvements

Mr. Lampmann explained that the bid itself came in much higher than expected. As such, the recommendation is to award the base bid for sidewalk, curb reconstruction and paving of Gifford Street. The balance of road paving for the Borough will use the co-op this year. The Gifford Street reconstruction may begin within two weeks.

Moved: Fox

Second: Vath

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

Absent: McNear

Voted Nay: None

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Discussion:

Letter dated July 6, 2016 from the New Jersey Department of Transportation Regarding a Generator Adapted Controller Cabinet located at the Intersection of Route 23 and Boonton Avenue

Mr. Lampmann explained that the Borough would be required to assume responsibility for the generator, which the Borough has to purchase, and then maintain during a storm event when it is in use. After discussion, the Mayor and Borough Council have decided that they do not want to do this as current procedures work.

Changes to Schedule C Schedule of Permitted Use, Chapter 143 (Land Use)

Mr. Budesheim presented this to the Clerk; Mr. Lampmann explained that these changes are to make the changes match the code for clarification purposes. Mr. Oostdyk and Ms. O'Keefe will check the Borough Code to verify these changes are correct and if so updates will be made.

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public at this time.

Chris Ziegler, 190 Boonton Avenue

As a resident and a member of the Butler Recreation Commission, he wanted to thank Mr. Lampmann for the cleanup work done at Stony Brook after the storms of this past weekend. Council President Vath noted that the Butler Fire Department would be doing additional clean-up work this evening.

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: Vath

Motion to adjourn

Moved: Vath
All in favor.

Second: Regis

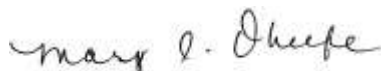
ADJOURNMENT: 7:20 p.m.

Adopted: August 16, 2016



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: August 16, 2016

Ordinance No. 2016- 18

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE
NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Butler find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2015) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority (“NJPPA”), will be governed by an Inter-Municipal Agreement (“IMA”) between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Butler to enter into the IMA in the form attached hereto.

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

Section 1. The Borough of Butler shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority (“NJPPA”).

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

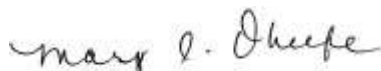
NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Butler, County of Morris and State of New Jersey, held on the 1st day of August, 2016 introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 20th day of September, 2016 at 7:00 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

INTRODUCED:

ADOPTED:



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC
Borough Clerk

**BOROUGH OF BUTLER
RESOLUTION R 2016-80**

**RESOLUTION AUTHORIZING ENTRY INTO A FIRE MUTUAL AID AGREEMENT
BETWEEN MORRIS COUNTY MUNICIPALITIES AND FIRE DISTRICTS**

WHEREAS, pursuant to the Fire Service Resource Emergency Deployment Act, N.J.S.A. 52:14E-14 and the regulations promulgated thereunder, including but not limited to N.J.A.C. 5:75A-2.2, municipalities in the State of New Jersey shall adopt a fire mutual aid plan (collectively, the “Fire Mutual Aid Plan”); and

WHEREAS, the Butler Fire Department provides fire protection resources for ordinary emergency response requirements within its jurisdiction; and

WHEREAS, the Fire Departments in Morris County have a day to day responsibility to provide for the safety and security of lives and property; and

WHEREAS, local resources can become exhausted during the small percentage of large magnitude fire or disaster occurrences; and

WHEREAS, mutual aid is the most cost-effective method of providing sufficient resources to a local jurisdiction for those extraordinary occurrences; and

WHEREAS, it is of mutual benefit for fire agencies located within the County of Morris to provide supplemental resources to each other in the event of a local emergency or disaster; and

WHEREAS, this plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of fire department personnel and equipment whenever a local fire agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of a fire or emergency; and

WHEREAS, a county wide mutual aid plan is encouraged by, and is compatible with the State of New Jersey Resource Deployment Act; and

WHEREAS, participation in a county wide mutual aid plan will not impose liability on the local entity; and

WHEREAS, it is the desire of the governing body of the Borough of Butler to participate in the fire mutual aid plan in accordance with the plan as submitted by the Morris County Alliance of Active Fire Chiefs.

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NOW, THEREFORE, BE IT RESOLVED, that the Borough of Butler does hereby agree to authorize the Butler Fire Department to provide mutual aid assistance to each participating municipality, district, state or federal organization, as identified in the Morris County Fire Mutual Aid Plan approved by the Morris County Alliance of Active Fire Chiefs on ____ of ____, 2016 and as may be amended from time to time by the Morris County Alliance of Active Fire Chiefs and ratified by this body:

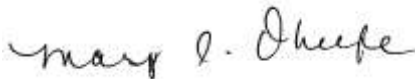
BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Morris County Board of Chosen Freeholders, the Morris County Fire Coordinator, the Morris County Office of Emergency Management Coordinator and all Morris County Municipalities.

Adopted:



Robert W. Alviene, Mayor

ATTEST:



Mary A. O'Keefe
Borough Clerk

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BOROUGH OF BUTLER
RESOLUTION NO. R 2016-81

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUTLER
AWARDING CONTRACT FOR GIFFORD STREET IMPROVEMENTS

WHEREAS, the Borough of Butler is in need of road improvements for Gifford Street;
and

WHEREAS, 5 sealed proposals were received on July 28, 2016; and

WHEREAS, the Chief Financial Officer has certified that funding is available for this
project; and

WHEREAS, the bids have been reviewed by the Borough Engineer Paul Darmofalski and
Borough Attorney Robert Oostdyk regarding qualification of bidders and conformity with
specifications; and

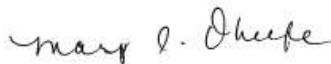
WHEREAS, the Mayor and Council hereby award the contract for the Gifford Street
Improvements to Mark Paving Co., Inc. 77 Cutters Dock Road, Woodbridge, New Jersey 07095
for a contract price of \$250,685.00.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are hereby
authorized to sign all necessary documentation and contracts for the above name project.

Adopted: August 1, 2016



Robert W. Alviene, Mayor



Mary A. O'Keefe, RMC

Dated: August 1, 2016