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WORKSHOP MEETING  
JANUARY 2, 2018  
After Reorganization Meeting  
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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 Calvi, Councilman Fox, Councilman Meier, Councilman Regis, Councilman Travers and Council President Verdonik

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

**ORDINANCE(S) FOR INTRODUCTION:**

**2018-1 An Ordinance Amending Chapter 216 Towing and Storage**

Public Hearing: January 16, 2018

Moved: Fox

Second: Verdonik

Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

**RESOLUTION(S):**

**R 2018-13 Resolution Authorizing Lease Agreement with Morris County for Operation of the Nutrition Site**

Moved: Fox

Second: Verdonik

Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

R 2018-13 approved.

**R 2018-14 Resolution Regarding Goods and Services Purchased Through the Morris County Cooperative Pricing Council**

Moved: Fox

Second: Meier

Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

R 2018-14 approved.

**R 2018-15 Resolution Appointing Raymond Verdonik to the Pequannock River Basin Regional Sewerage Authority**

Moved: Fox

Second: Meier

Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

R 2018-15 approved.

**R 2018-16 Resolution Authorizing Renewal of an Agreement with Insurance Design Administrators for Claims Administration for Dental Insurance**

Moved: Fox

Second: Verdonik

Voted Aye: Calvi, Fox, Meier, Regis, Travers and Verdonik

Voted Nay: None

R 2018-16 approved.

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**Discussion – Private Property Ordinance Regarding Alcoholic Beverages**

The Mayor and Council asked that this item be carried on the Agenda until the February Workshop Meeting and ask Chief Chimento for input on this issue.

**OPEN PUBLIC DISCUSSION**

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

Seeing no one come forward to speak a motion was made to close the public portion of the meeting.

Moved: Fox

Second: Verdonik

All in favor.

Motion to adjourn

Moved: Fox

Second: Verdonik

All in favor.

ADJOURNMENT: 6:55 p.m.

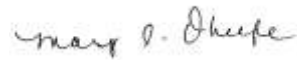
Adopted: February 20, 2018



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Robert W. Alviene, Mayor

Attest:



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Mary A. O'Keefe, RMC  
Municipal Clerk

Dated: February 20, 2018

**BOROUGH OF BUTLER**  
**ORDINANCE NO. 2018 - 1**

**ORDINANCE AMENDING CHAPTER 216 OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF BUTLER**

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

**Section 1.** Chapter 216 of the Revised General Ordinances of the Borough of Butler entitled "Towing and Storage of Vehicles," shall be amended by the following amendment to Section 216-11 which shall read in its entirety as follows:

**§ 216-11. Service rates.**

Charges for transportation, hauling or service of disabled vehicles by an approved wrecker or operator of any approved wrecker shall not exceed the following rates:

- A. The basic towing and storage fee schedule shall be as follows:
- (1) The following is the fee schedule for towing services:
    - (a) First mile or less: \$125.00
    - (b) Each additional mile: \$6.00
  - (2) The following is the fee schedule for storage services. The fee shall be charged for each 10 x 20 foot space utilized:
    - (a) Inside building: \$90. per day.
    - (b) Outside storage: \$45. per day.
- B. Mileage rate. The mileage rate shall be calculated based on the total distance traveled from the tow vehicle's base of service to the job site and return by way of the shortest available route. The tow operator will transport the vehicle anywhere in the Borough at the request of the owner/operator.
- (1) If the owner/operator requests that the vehicle be transported out of town, the towing service shall receive payment for the additional miles traveled.

- (2) On request, towers shall provide this service for a minimum of five miles beyond the Borough line. Towing beyond this point may be refused if service to the Borough could be affected.

C. Additional charges.

- (1) There shall be an administrative charge of \$40. for vehicles involved in a motor vehicle accident.
- (2) Labor. The labor rate is chargeable in quarter hour increments. This rate includes waiting time, winching, uprighting, etc., for all automobiles. There shall be no charge for cleanup of common motor vehicle accident debris. Recovery for uprighting vehicles under 8,000 GVWR will not exceed \$200. per hour with a one hour minimum allowed.
- (3) There shall be a fee of \$90. for window wrap.
- (4) There shall be a fee of \$90. for tarping.
- (5) There shall be a fee of \$50. for transmission disconnection.
- (6) There shall be a fee of \$75. for after hour vehicle release.
- (7) Special recovery. The fee is unlisted but chargeable when the need for specialized equipment is readily apparent.

D. Special circumstances.

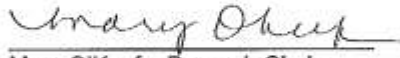
- (1) If the owner of an unattended vehicle to be towed appears on the scene, and provided that the vehicle does not need to be towed or impounded, the towing contractor shall make no charge. However, if the vehicle is hooked up to the towing truck, the vehicle shall be released at the scene of impound upon the payment of 75% of the authorized towing charge (decoupling fee).
- (2) There shall be no charge for towing, storage or impoundment if it is determined by the Police Chief or his or her designee that such vehicles have been towed, stored or impounded due to an error by the tow truck operator or the Police Department. This determination shall be at the sole discretion of the Police Chief or his or her designee and is binding upon the contractor. The contractor shall make no claims for payment upon the owner of the vehicle, and if payment has already been received, the payment shall be returned.

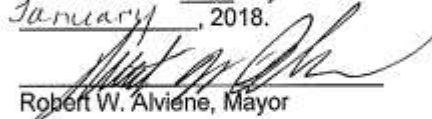
(3) There shall be no charge for the towing of police vehicles.

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

  
Mary O'Keefe, Borough Clerk

Introduced this 2<sup>nd</sup> day of  
January, 2018.  
  
Robert W. Alviene, Mayor

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BOROUGH OF BUTLER  
RESOLUTION R 2018-13

RESOLUTION AUTHORIZING AN AGREEMENT WITH MORRIS COUNTY  
DEPARTMENT OF HUMAN SERVICES

WHEREAS, the Morris County Department of Human Services desires to continue to use the Carey Avenue Fire House as a Morris County Nutrition Site; and


WHEREAS, the Governing Body of the Borough of Butler has reviewed the proposed agreement and approves it.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are authorized to sign a lease agreement with the County of Morris for one year (January 1, 2018 – December 31, 2018) with a fixed rent of \$8,500.00 payable in quarterly installments.

Adopted: January 2, 2018

  
\_\_\_\_\_  
Robert W. Alvicé, Mayor

Attest:

  
\_\_\_\_\_  
Mary A. O'Keefe, RMC  
Borough Clerk

Dated: January 3, 2018

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BOROUGH OF BUTLER  
RESOLUTION R 2018-14

AUTHORIZATION TO PURCHASE VARIOUS ITEMS AWARDED BY THE  
MORRIS COUNTY COOPERATIVE PRICING COUNCIL

WHEREAS, in the past the Borough of Butler has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the Morris County Cooperative Pricing Council pursuant to N.J.S.A. 40A:11-10; and

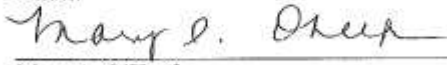
WHEREAS, it is desirable from time to time to obtain materials, supplies, services and equipment under contracts for such materials, supplies, services and equipment ordered into on behalf of the Morris County Cooperative Pricing Council without the necessity of advertising for bids, or in the cases where no bids have been received; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Butler, County of Morris and State of New Jersey, that the purchase by the Borough of items or services contained in the Morris County Cooperative Pricing Council are hereby authorized.

Approved: January 2, 2018

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

Dated: January 2, 2018

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**BOROUGH OF BUTLER  
RESOLUTION NO. 2018-15**

**RESOLUTION OF THE BOROUGH COUNCIL OF BUTLER APPOINTING RAYMOND  
VERDONIK TO THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY**

**WHEREAS**, the Sewerage Authorities Law, more specifically at N.J.S.A. 40:14A-4(b), provides for the appointment of municipal members to a sewerage authority for a term commencing on February 1, and expiring on February 1 in the fifth year after such year; and

**WHEREAS**, the Borough of Butler is a municipal member of the Pequannock River Basin Regional Sewerage Authority ("PRBRSA") and therefore must provide for such appointment of a municipal representative; and

**WHEREAS**, N.J.S.A. 40:14A-4(b) further provides that the member representatives of each municipality shall be appointment by resolution of the governing body; and

**WHEREAS**, the Borough of Butler wishes to confirm the appointment of Raymond Verdonik as its member of PRBRSA to serve for a period of five years commencing February 1, 2018; and

**WHEREAS**, N.J.S.A. 40:14A-4(c) thereafter provides that a copy of each such resolution appointing any member of a sewerage authority, duly certified by the appropriate office of the local unit, shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Butler in the County of Morris and State of New Jersey on this 2nd day of January 2018, as follows:

1. Raymond Verdonik is hereby appointed to represent the Borough of Butler as aforesaid commencing on February 1, 2018 and ending January 31, 2023.
2. This Resolution shall take effect immediately and a certified copy hereof shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue, as well as in the offices of the Borough of Butler Municipal Clerk and the Office of the Pequannock River Basin Regional Sewerage Authority.

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Borough of Butler held on January 2, 2018.

  
Robert W. Alvione, Mayor

  
Mary A. O'Keefe, RMC  
Municipal Clerk

Dated: January 2, 2018



**BOROUGH OF BUTLER  
RESOLUTION R 2018-16  
RESOLUTION PROVIDING FOR AN AGREEMENT WITH INSURANCE DESIGN  
ADMINISTRATORS FOR DENTAL CLAIMS ADMINISTRATION**

WHEREAS, the Borough of Butler desires to continue to implement a cost effective method of dealing with the ever increasing cost of group health benefits while maintaining appropriate dental care for its employees; and

WHEREAS, self-funding is an effective method to achieve this goal; and

WHEREAS, the Treasurer has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids, and the contract itself must be available for public inspection,

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with Insurance Design Administrators, 153 Bauer Drive, Oakland, N.J. 07436.

2. The duration of this contract is January 1, 2018 through December 31, 2018, however it shall be on a month to month basis. Upon thirty days notification to IDA, this contract can be terminated.

3. The service fee is estimated as follows:

a. IDA shall be paid a monthly fee of \$624 (Annually \$7,488) which includes claim processing costs for claims handling.

b. Claims are estimated at \$96,575.

c. If during the operation of the Plan, any tax (other than franchise taxes, net worth taxes, state or federal income taxes or other taxes based on income), or any assessment or premium charge, shall be assessed against the Plan or IDA and IDA is required to pay such tax, IDA shall report the assessment or charge to the Sponsor and the Sponsor shall immediately reimburse IDA for any such charge or assessment. Sponsor may, at its discretion, appeal the tax.

d. In addition to the Monthly Services Fees and payment, the Sponsor shall pay IDA charges incurred pursuant to the following schedule of Special Services Fees:

SPECIAL SERVICES

Printing Expenses

SPECIAL SERVICES FEES

Actual cost for booklets and Employer Claim Checks or any other special printing requested by the Sponsor.

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Special Statistical Reports  
(Other than the customary  
monthly or annual reports).

Expenses incurred.

Travel Expenses for IDA  
personnel if such travel is  
at the request of the Sponsor  
or Administrator

Expenses incurred for such  
travel

Other Services mutually agreed  
upon, beyond the scope of  
those normally required.

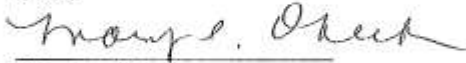
Actual costs of such services

4. The Butler Employee Dental Health Care Plan will be renewed effective January 1, 2018.
5. A notice of this action shall be printed once in the Suburban Trends.

Adopted:

  
Robert W. Alviene, Mayor

Attest:

  
Mary A. O'Keefe  
Borough Clerk

Dated:

January 2, 2018