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WORKSHOP MEETING
AUGUST 5, 2019
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 Travers and Council President Verdonik

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

Motion to excuse the absence of Councilman Calvi:

Moved: Travers

Second: Verdonik

All in Favor.

Discussion

Medical Marijuana Dispensary –

Sam Redlich, 85 Raritan Avenue, #200 Highland Park, NJ 08904

Is present this evening on behalf of Nectar New Jersey, who were very close in the last round of licenses being issued by the State of New Jersey. Currently they are looking into vacant properties in Butler and he is present to address any concerns the Mayor and Council may have. He also explained that they would like to open a dispensary in an area where there is a need as the nearest location is approximately an hour away.

Andrew Siceloff, New Jersey Nectar provided information regarding the company; he noted that the company itself is New Jersey based. He is currently a Hoboken resident and would like to locate his business in Northern New Jersey. He is a small minority owned medical cannabis company and would like to provide financial stability for his family. He would like to keep everything local and to grow this business as a help to those in need, and be a good neighbor.

Robert Kane, spoke on the benefits of medical marijuana and the various conditions it is prescribed for, just recently anxiety was included in the list of ailments.

Councilman Regis asked what size building you are looking for; currently they are looking for a 3000 square foot building. Councilman Travers noted that they would need to have a building large enough for storage capability and asked what type of products would be sold. Mr. Siceloff explained that he would be looking for one building, as security would be required for outside storage. Mr. Siceloff also explained that there are various forms that are used to dispense medical marijuana.

The Mayor, Borough Council and the Borough Attorney asked numerous questions regarding location, application process, and what is required from the Borough of Butler to support the application. It was noted that a letter in support of locating the Dispensary in Butler should be sufficient for the application. The Mayor asked if there would be any negative impact should the Borough Council vote no on providing the letter. Mr. Siceloff stated they understand and there would be no negative impact. After discussion, Mayor Alviene polled the Council regarding their

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feeling on this issue. The following Council members voted yes: Regis, Fox, Meier, Travers (conditional) and Verdonik. Mr. Lampmann asked if the dispensing was by appointment only, Mr. Siceloff and Mr. Redlich explained that there are only certain amounts of people who are allowed in the business at one time. A letter of general support was requested, however, Mr. Oostdyk explained that the letter would state that it would be limited to being located in the Highway Commercial Zone. A resolution will be prepared for passage at the August 20, 2019 meeting.

Discussion of the KIA Monument at Butler High School – Mr. Lampmann provided an update, at this time the monument is on hold, as the committee needs to get permission from the Butler Board of Education regarding location. Board of Education member Chris Ziegler is in the audience and explained that there seems to be some issue with the monument and the names that will be included on it. Currently funding may be an issue, more communication is needed between all the affected parties.

R 2019-77 Resolution Extending the Date Third Quarter Tax Bills are Due

Mr. Lampmann explained that the State of New Jersey provided their numbers late, thus delaying the setting of the tax rate and the printing and mailing of the bills.

Moved: Verdonik

Second: Fox

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

Voted Nay: None

Absent: Calvi

R 2019-78 Bid Award – Awarding the Bid for Improvements to 2nd Street, 3rd Street and Manning Avenue to Pacific Construction

Motion by: Fox

Second: Meier

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

Voted Nay: None

Absent: Calvi

R 2019-79 Authorizing the Purchase of Goods and Services from Various Morris County Cooperative Pricing Council Vendors for the Improvements to 2nd Street, 3rd Street and Manning Avenue for a Total Cost Not to Exceed \$230,000

Motion by: Fox

Second: Verdonik

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

Voted Nay: None

Absent: Calvi

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OPEN PUBLIC DISCUSSION

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

Bob Norman, 31 Cascade Way wanted to know if the Borough has rules in place for lack of property maintenance. What are the current penalties for this? Mr. Lampmann explained that there is a procedure in place; unfortunately, this may take approximately two months, the last step would be a court date, however, while the people are given court dates should they fail to appear a warrant cannot be issued for them to appear per State statute.

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: Verdonik

Motion to adjourn

Moved: Fox
All in favor.

Second: Meier

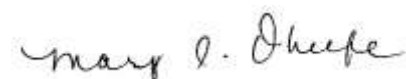
ADJOURNMENT: 7: 58 p.m.

Adopted: September 17, 2019



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

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**BOROUGH OF BUTLER
RESOLUTION R2019-77**

**RESOLUTION EXTENDING THE DATE
THIRD QUARTER TAX BILLS ARE DUE**

WHEREAS, the year 2019 tax rate for the Borough of Butler was not released by Morris County until July 11th, 2019; and

WHEREAS, the Borough of Butler had to delay in the sending of their tax bills due to the delay in certification; and

WHEREAS, the tax bills for the Final 2019/Preliminary 2020 were mailed on July 25TH; and

WHEREAS, the third quarter bill is normally due on August 1st with a 10 day grace period;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council extend the due date including the 10 day grace period for the payment of third quarter 2019 taxes to August 26, 2019.

Adopted:


Robert W. Alviene, Mayor

ATTEST:


Mary A. O'Keefe
Borough Clerk

Dated: August 5, 2019

**BOROUGH OF BUTLER
RESOLUTION R 2019-78**

**Resolution of the Borough of Butler Awarding Bid for Improvements to 2nd Street,
3rd Street and Manning Avenue to Pacific Construction**

WHEREAS, the Borough of Butler is in need of road and sidewalk improvements for 2nd Street, 3rd Street and Manning Avenue; and

WHEREAS, the Borough has received a grant in the amount of \$499,000.00 from the State of New Jersey Department of Transportation's Transportation Trust Fund for the Fiscal Year 2019 to perform improvements within the limits of the Project; and,

WHEREAS, 4 sealed proposals were received on July 31, 2019; 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 Thomas Boorady 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 2nd, 3rd and Manning Avenue Improvements to Pacific Construction, 531 Route 22 East, PMB 240, Whitehouse Station, New Jersey 08889 for the main bid for a contract price of \$366,833.36.

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 5, 2019


ROBERT W. ALVIENE, MAYOR

ATTEST:


Mary O'Keefe,
Borough Clerk

Dated: August 5, 2019

RESOLUTION #2019-79

AUTHORIZING THE PURCHASE OF GOODS AND SERVICES FROM VARIOUS MORRIS COUNTY COOPERATIVE PRICING COUNCIL VENDORS FOR THE IMPROVEMENTS TO SECOND STREET, THIRD STREET AND MANNING AVENUE, FOR A TOTAL COST NOT TO EXCEED \$230,000.00

WHEREAS, the Borough of Butler ("Borough") desires to complete a roadway improvement project for the entire lengths of Second Street, Third Street and Manning Avenue (the "Project"); and,

WHEREAS, the Borough has received a grant in the amount of \$499,000.00 from the State of New Jersey Department of Transportation's Transportation Trust Fund for the Fiscal Year 2019 to perform improvements within the limits of the Project; and,

WHEREAS, the Borough desires to use the Morris County Cooperative Pricing Council ("MCCPC") in order to award contracts to various vendors to complete the Alternate Bid portion of the Project; and,

WHEREAS, the Borough desires to purchase materials and services from the various vendors awarded contracts by the MCCPC as follows:

- A. MCCPC Contract #6, Categories A & B, to Tilcon New York, Inc., located at 9 Entin Rd., Parsippany New Jersey, 07054, for road resurfacing; and,
- B. MCCPC Contract #36 to Denville Line Painting, Inc., located at 2 Green Pond Road, Rockaway, New Jersey 07866, for traffic striping.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Butler, County of Morris, State of New Jersey, the following:

1. The Borough of Butler hereby authorizes the purchase of the following:
 - a) Road resurfacing services from Tilcon New York, Inc., in the amount of \$213,615.00; and,
 - b) Traffic striping services from Denville Line Painting, Inc., in the amount of \$4,483.20.
2. The Borough of Butler hereby authorizes the purchase of materials, supplies, services, equipment and labor from the vendors listed above under the various contracts entered into on behalf of the MCCPC in a total amount not to exceed \$230,000.00, including contingencies.

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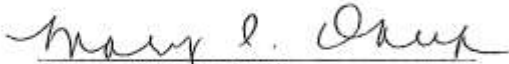
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3. The Mayor and Clerk are authorized and directed to execute MCCPC Contract Nos. 6, and 36, and said officers, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
4. The foregoing awards are subject to the certification of availability of funds by the appropriate officers of the Borough.
5. This Resolution shall take effect as herein provided.



Robert W. Alvifene, Mayor

Attest:



Mary A. O'Keefe, R.M.C.
Borough Clerk

CERTIFICATION

I, **Mary O'Keefe, R.M.C., Borough Clerk** of the Borough of Butler hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council of the Borough of Butler at a duly convened meeting held on **August 5, 2019**.



Mary O'Keefe, R.M.C. Borough Clerk