

The Workshop Meeting of the Borough of Butler Mayor and Council was opened by Mayor Martinez 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 Martinez, Councilman Fox, Councilman Piccirillo, Councilman Regis and Council President Verdonik

ABSENT: Councilman Meier and Councilman Calvi

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

Motion to Excuse the Absence of Councilman Meier and Calvi:

Moved: Fox

Second: Regis

All in favor.

Discussion – Boy Scouts of America Inflatable BB Gun Range – Jonathan Jorda, 27 Western Avenue is the Committee Chair for the Butler Cub Scouts, he noted that this issue has been before the Mayor and Council previously, and he feels that pursuant to the Borough regulations a gun range may be approved by the Borough Council. Mr. Jorda explained that the Cub Scout Council was willing to provide the Borough with a Certificate of Insurance to absolve the Borough of any liability for any incidents that may occur. Mr. Oostdyk noted that as the event is being held on private property, the Borough would not provide authorization for this event. There would be a trained range master, and if the participant were a minor then his parent would need to be present. Chief Chimento is not in favor of this event, as pursuant to the Borough ordinances you may not discharge a weapon within the Borough. Mr. Oostdyk noted that this might not fit the definition of a “range.” Mr. Jorda explained that there are two lanes; he reiterated that the Boy Scouts would provide a certificate of insurance. The Boy Scout Council supplies the guns, should this be approved the Borough would have to provide specifications for use. Council President Verdonik noted that he is not against learning to shoot; however, he feels that this is not what the ordinance is meant to authorize. The Mayor and Council did not approve this request, as they are concerned as it goes against the current Municipal Code and Zoning regulations.

Discussion – Planet Network

Robert Boyle, 4 Park Place, Newton expressed his gratitude for the Mayor and Council for allowing him to explain what his company does and will do for the community. They provide high-speed internet service; they are essentially a telephone company similar to Verizon. They are a small company currently the timeline would be at least one year for installation within the Borough. A grant has been applied for if it is received installation might be sooner.

Ordinance for Introduction

Ordinance No. 2021-6 An Ordinance Appropriating \$45,000 for the Purchase of a Vehicle for the Fire Chief

Public Hearing: April 20, 2021

Moved: Regis

Second: Fox

Voted Aye: Fox, Piccirillo, Regis and Verdonik

Voted Nay: None

Absent: Calvi and Meier

Ordinance No. 2021-7 An Ordinance Appropriating \$80,000 for the Water Main Replacement Project for Hillside Avenue

Public Hearing: April 20, 2021

Moved: Fox

Second: Regis

Voted Aye: Fox, Piccirillo, Regis and Verdonik

Voted Nay: None

Absent: Calvi and Meier

Resolution No. 2021-37 Bid Award – Awarding the Bid for the Water Main Replacement Project on Hillside Avenue and South Gifford Street to MSP Construction, 19-B Minneakoning Road, Flemington, New Jersey

Moved: Fox

Second: Regis

Voted Aye: Fox, Piccirillo, Regis and Verdonik

Voted Nay: None

Absent: Calvi and Meier

OPEN PUBLIC DISCUSSION

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

Jonathan Jorda, 27 Western Avenue during periods of heavy rain there is ponding on his front lawn. Mr. Lampmann explained that the situation should be alleviated by the reconstruction work being done on Western Avenue, curbs will be installed and a catch basin will be installed when a location is determined so that water does not flow into his driveway. The bid for this should be in May.

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

Moved: Fox

Second: Regis

All in favor.

Motion to go into Closed Session for Tax Appeal Settlement

Moved: Fox

Second: Regis

All in favor.

MINUTES OF:
DATE OF MEETING:
TIME OF MEETING:
PAGE NO.

WORKSHOP MEETING
APRIL 6, 2021
7:00 P.M.
3

Motion to return to Open Session
Moved: Fox
All in favor.

Second: Regis

Resolution No. 2021-39 Motion to accept the Proposed Tax Appeal Settlement for 13 Jericho Road.

Moved: Verdonik
All in favor.

Second: Regis

Motion to adjourn
Moved: Fox
All in favor.

Second: Verdonik

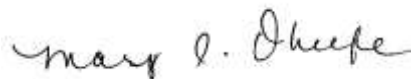
ADJOURNMENT: 7:56 p.m.

Adopted: July 20, 2021



Ryan Martinez, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

Dated: July 20, 2021

**BOROUGH OF BUTLER
COUNTY OF MORRIS
Ordinance 2021-6**

**AN ORDINANCE OF THE BOROUGH OF BUTLER
PROVIDING FOR THE APPROPRIATION OF \$45,000
FOR THE ACQUISITION OF A FIRE DEPARTMENT
UTILITY VEHICLE FROM THE GENERAL CAPITAL -
CAPITAL IMPROVEMENT FUND.**

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

SECTION 1. The funding for the acquisition of a utility vehicle for the Fire Department is hereby authorized with a cost not to exceed \$45,000, which sum is hereby appropriated for this purpose

SECTION 2. The total amount of \$45,000 for said improvement is hereby appropriated from the following funds:


General Capital – Capital Improvement Fund - \$45,000

SECTION 3. This ordinance shall take effect after publication and passage as provided by law.

Introduced this 6th day of April
2021, and certified as a true
copy of an original.



Ryan Martínez, Mayor



Mary A. O'Keefe, Borough Clerk

**BOROUGH OF BUTLER
COUNTY OF MORRIS
Ordinance 2021-7**

**AN ORDINANCE OF THE BOROUGH OF BUTLER
PROVIDING FOR THE APPROPRIATION OF \$80,000
FOR THE SOUTH GIFFORD STREET WATER MAIN
REPLACEMENT FROM THE COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM.**

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

SECTION 1. The funding for the South Gifford Street Water Main Replacement is hereby authorized with a cost not to exceed \$80,000, which sum is hereby appropriated for this purpose

SECTION 2. The total amount of \$80,000 for said improvements is hereby appropriated from the following funds:

Water Utility Capital – CDBG - \$80,000

SECTION 3. This ordinance shall take effect after publication and passage as provided by law.

Introduced this ^{6th} day of April
2021, and certified as a true
copy of an original.



Ryan Martinez, Mayor



Mary A. O'Keefe, Borough Clerk

**BOROUGH OF BUTLER
RESOLUTION R 2021-37**

Resolution of the Borough of Butler Awarding a Bid for the Hillside Avenue and South Gifford Street Water Main Replacement Project

WHEREAS, the Borough of Butler has the need to replace the Water Main on Hillside Avenue and South Gifford Street and has received partial funding for the project from a Community Development Block Grant; and

WHEREAS, five (5) sealed bids were received on Wednesday, March 31, 2021 at 10:00 AM; and

WHEREAS, the Chief Finance Officer has certified that funds are available for this project; and

WHEREAS, the bids have been reviewed and approved by William Ryden, Borough Engineer, and Borough Attorney Robert Oostdyk regarding qualifications of the bidder and conformity with the specifications; and

WHEREAS, the Mayor and Borough Council hereby awards the bid for the Hillside Avenue and South Gifford Street Water Main Replacement Project to MSP Construction, 19-B Minneakoning Road, Flemington, New Jersey 08822 in the amount of \$179,008.50.


NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are authorized to sign all necessary documents regarding the above listed contract.

Adopted: April 6, 2021



Ryan Martinez, Mayor

ATTEST:



Mary O'Keefe,
Borough Clerk

Dated: April 6, 2021

R 2021-38
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Borough Council of the Borough of Butler on the 6th day of April 2021, 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, sub-section (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.
- () 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