

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MADISON

January 9, 2012 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 9th day of January 2012. Mayor Conley called the meeting to order at 6:30 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Borough Clerk read the statement pursuant to the Open Public Meetings Act:

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 5, 2012. This Notice was made available to members of the general public.”

ROLL CALL

The Borough Clerk called the roll and the following acknowledged their presence:

Mayor Robert H. Conley

Council Members:

Jeannie Tsukamoto
Vincent A. Esposito
Donald R. Links
Robert G. Catalanello
Robert Landrigan
Carmela Vitale

Also Present:

Raymond M. Codey, Borough Administrator
Elizabeth Osborne, Borough Clerk
Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mrs. Tsukamoto moved:

RESOLVED, that the meeting be adjourned to an Executive Session to consider the following matters:

MINUTES FOR APPROVAL (1)

November 14, 2011

November 28, 2011

Date of public disclosure 60 days after conclusion, if disclosure required.

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CONTRACT MATTERS (4)
MRC DEBT NOTE SALE
2012-2013 TREE TRIMMING
YARD WASTE COLLECTION
WATER METER CHARGE

Date of public disclosure 60 days after conclusion, if disclosure required.

PERSONNEL MATTERS (4)
POLICE DEPARTMENT
APPOINT CROSSING GUARDS
EMPLOYEE REVIEWS
OPEN SPACE, RECREATION AND HISTORIC PRESERVATION ADVISORY
COMMITTEE

Date of public disclosure 90 days after conclusion, if disclosure required.

Seconded: Dr. Esposito
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8:20 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Mrs. Tsukamoto moved approval of the **Executive Minutes of November 14, 2011**.
Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links, Mr. Catalanello
Nays: None
Abstain: Mr. Landrigan. Mrs. Vitale

Mrs. Tsukamoto moved approval of the **Regular Minutes of November 14, 2011**.
Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links, Mr. Catalanello
Nays: None
Abstain: Mr. Landrigan. Mrs. Vitale

Mrs. Tsukamoto moved approval of the **Executive Minutes of November 28, 2011**.
Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

Mrs. Tsukamoto moved approval of the **Regular Minutes of November 28, 2011**.
Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

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Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley wished everyone a Happy New Year and welcomed newly elected Council Members Mr. Landrigan and Mrs. Vitale

Mayor Conley made the following announcements:

Employees of the Month for January:

Linda Sawyer, of the **Finance Department**, for her work creating a large, comprehensive spreadsheet to track all the contribution amounts for each employee based upon salary, coverage types, premium amounts, etc. for use on healthcare reform matters. Use of this spreadsheet will expedite future employee updates.

Lara Shaljian and **Mike Shugrue** of **Project Community Pride** for their devotion to the program and the families, including using their own gift funds to purchase workbooks which focus on different types of treatment issues affecting children in the Project Community Pride program.

Anniversaries:

35th Anniversary – Sal DeBiasse of the Water Department on January 24th.

25th Anniversary – Sgt. Stephen Carpenter of the Madison Police Department on January 19th.

20th Anniversary – Lt. Darren Dachisen of the Madison Police Department on January 28th.

REPORTS OF COMMITTEES

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:

Mrs. Tsukamoto reported that 2011 was an unusually busy year for Public Safety officials, responding to an earthquake, hurricane, snow in October and a plane crash, among the customary incidences that Police and Fire Departments responded to. Mrs. Tsukamoto thanked both Police Chief John Trevena and Fire Chief Louie DeRosa and their departments for their efforts.

Utilities

Dr. Esposito, Chair of the Committee, made the following comments:

Dr. Esposito reported that the Electric Utility continues to finish work on hanging branches due to the October snow storm, as well as inspection and maintenance of utility lines. The Borough has made an electricity purchase utilizing the managed contract approach to diversify purchase and credit risk, with Exelon Generation, and noted that saving will be realized after June 2015. A proposed water line protection program will be discussed later in this meeting.

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Public Works and Engineering

Mr. Links, Chair of the Committee, made the following comments:

Mr. Links reported meeting with Borough Engineer Robert Vogel regarding Engineering, as well as Public Works Superintendent David Maines. Mr. Links reminded residents to discard Christmas trees at the curb for pick-up in the next week.

Finance and Borough Clerk

Mr. Catalanello, Chair of the Committee, no report.

Health & Public Assistance

Mr. Landrigan, Chair of the Committee, made the following comments:

Mr. Landrigan reported attending an executive meeting of the Downtown Development Commission and noted several projects. Mr. Landrigan noted that the DDC accomplishes many of these projects with volunteers and donated materials. Mr. Landrigan also noted that Spring Sports sign up will begin soon and the Madison Ski Club is now underway. Senior Citizens Club was visited by James Norgalis, Health Officer and is currently working on a program for April entitled “The Time of your Life”, resources for older residents facing change.

Community Affairs

Mrs. Vitale of the Committee made the following comments:

Mrs. Vitale announced an important change as of January 15th. The Township of Millburn will assume the duties of Animal Control, at a significant savings. Residents are asked to contact the Police Department non emergency line to request an Animal Control Officer, if needed. Updated information will also be added to the Borough website. The Board of Health will issue a brief survey to restaurant owners regarding health inspection services.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

E-mail received January 5, 2012 from Frank La Rocca, Chester, NJ, congratulating Mayor Conley on his election to office.

Letter received January 9, 2012 from Bob Jennings of Albright Circle regarding Preferred Parking.

INVITATION FOR DISCUSSION (1 of 2)

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Brian Agnew, East Lane, provided information on the Madison Athletic Foundations fundraising efforts with regard to the Madison Recreation Center, including a 50/50 raffle, collecting user fees and corporate fund raising.

Sam Cerciello, Park Avenue, asked the Council to consider changing the Council by-laws to begin the public portion of the meetings at 7:30p.m.

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AGENDA DISCUSSIONS

01/09/2012-1 AMENDMENT OF GARBAGE PICK UP SCHEDULE

Mrs. Vitale raised concern regarding residents' response to the once weekly garbage removal. Mr. Burnet offered information regarding rear yard pickup at an additional charge to the residents. Following discussion, there was consensus to continue discussion during the 2012 budget process.

01/09/2012-2 TECHNOLOGY LIAISON

There was agreement with Mrs. Tsukamoto's recommendation that she serve as technology liaison until the Council bylaws are amended to include an assignment under Finance and Borough Clerk.

01/09/2012-3 BOROUGH COUNCIL BY-LAWS UPDATES

Following discussion of proposed amendments to the Borough Council by-laws, including the removal outdated and missing assignments Mayor Conley appointed Mrs. Tsukamoto, Mr. Landrigan and Mrs. Vitale to the review committee. There was agreement to carry this item forward to the first meeting in February.

01/09/2012-4 MRC SECURITY AND EMERGENCY EQUIPMENT

Police Officer Joseph Longo addressed the Mayor and Council regarding security and emergency equipment at the Madison Recreation Center including a request to purchase an emergency call box, defibrillator, cameras for the fields and signage. Following discussion there was agreement to amend Resolution R 37-2012 to include a 'not to exceed amount' of \$37,500.00.

Resolution R 37-2012, as amended, will be listed on the Consent Agenda.

ADDED TO THE AGENDA

01/09/2012-5 WATERLINE INSURANCE PROGRAM

Mr. Burnet provided information regarding the proposed waterline insurance program and asked that the governing body confirm approval of the program and authorize distribution of applications to residents. Mrs. Tsukamoto moved approval of the waterline insurance program. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

01/09/2012-6 ENGINEERING PROJECTS UPDATE

Mr. Burnet provided information on capital projects in progress, nearing completion and scheduled for the budget review process. Mrs. Tsukamoto indicated that the progress of projects on the Borough website would be useful. Dr. Esposito suggested that asset management should have been looked at five or six years prior and that the Council should look at needs going forward several years. Mr. Catalanello express concern regarding immediate repairs needed to the North Street and other pump stations. Mr. Burnet stated that the cost of the list of capital projects is approximately \$1,625,000. There was agreement to continue discussion at the Capital budget hearing.

01/09/2012-7 LIBRARY REFERENDUM

Mr. Catalanello noted that the Madison Public Library Board of Trustees recently submitted a request to the Borough Council for capital improvements needed at the

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Library in an amount of nearly \$800,000, over the next four years. Mr. Catalanello indicated that it is important that the Council consider how to adequately fund the capital needs at the Library. Mr. Catalanello proposed discussion of a Referendum question to be considered at a Special Election to establish a Library Support Tax at 0.01 per \$100 of assessed valuation, raising approximation \$200,000 each year and will sunset when the capital needs are met. Mr. Links agreed that the Council needs to assess the sentiment of the residents. Mr. Tsukamoto suggested analyzing the actual needs of the Public Library before determining the amount of a tax. Mayor Conley will reach out to the Trustees and the Council will continue discussion of a Referendum question. Mr. Mezzacca was asked to report at the next meeting of the Council on the process for a Referendum question.

INVITATION FOR DISCUSSION (2 of 2)

Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record.

He/she shall limit his/her statement to three (3) minutes or less.

Eugene Zipper; Greenwood Avenue, asked that the Council consider starting regular Council meetings at 7:30 p.m. and to consider fund raising activities to help fund capital projects at the Public Library.

Tim Harrington; Crossgates Road, noted that the budget process begins late each year and asked that the council better communicate with residents the problems and needs of the Library.

01/09/2012-8 CONSTRUCTION REVIEW COMMITTEE

Mr. Catalanello stated that the Construction Review Committee would like to continue with the additional of Mr. Links as this year's Council Liaison. Mayor Conley appointed resident Joseph Munoz as an additional resident member.

01/09/2012-9 GREEN VILLAGE ROAD SCHOOL RFQ REVIEW COMMITTEE

Mayor Conley appointed Mrs. Tsukamoto, Mr. Landrigan, Mrs. Vitale, as well as himself to review the request for qualifications for development of the GVRS property. Mrs. Tsukamoto suggested that the same committee be consider going forward, as the project will take some time. Mrs. Vitale urged that the property be developed in a proper manner. Mayor Conley asked for confirmation of committee as presented. There was consensus to appointment the committee members.

01/09/2012-10 BOARD OF EDUCATION SHARED SERVICES COMMITTEE

Mrs. Tsukamoto suggested adding the Council Finance Liaison to the committee, and volunteered to be the backup. Mayor Conley suggested adding this committee to the Bylaws Review Committee for discussion.

01/09/2012-11 PROFESSIONAL SERVICES REQUEST FOR PROPOSALS

Mayor Conley made appointments to various committees for review of professional requests for proposals for Borough Attorney, Engineering, Finance and Electrical Services. Mayor Conley recommended that the liaison and staff members serve as well as Administrator and Assistant Borough Administrator. Committee will report back to the full Council for consideration and approval of appointments.

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Mrs. Tsukamoto moved confirmation of the foregoing appointments. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan, Mrs. Vitale
Nays: None

ADVERTISED HEARINGS- NONE

INTRODUCTION OF ORDINANCES-NONE

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

Mrs. Tsukamoto moved adoption of the Resolutions listed on the Consent Agenda. Dr. Esposito seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

R 32-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY MADISON COOPERATIVE NURSERY SCHOOL, PTO TOREY J. SABATINI SCHOOL, FRIENDS OF MADISON PUBLIC LIBRARY AND PTO MADISON HIGH SCHOOL

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following applications for Raffles Licenses, to be held as listed below, be and the same are hereby approved:

MADISON COOPERATIVE NURSERY SCHOOL
I.D. No. 274-5-27821
R.A. 1228 – On Premise
January 20, 2012

PTO TOREY J. SABATINI SCHOOL
I.D. No. 274-5-33160
R.A. No. 1227 – On Premise
February 11, 2012

FRIENDS OF THE MADISON PUBLIC LIBRARY
I.D. No. 274-5-37411
R.A. No. 1226 – Off Premise
March 3, 2012

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PTSO MADISON HIGH SCHOOL
I.D. No. 274-5-33795
R.A. No. 1225 – Off Premise
March 15, 2012

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Legalized Games of Chance Control Commission.

R 33-2012 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING NANCY CURTO AND NICHOLAS LOSAVIO TO THE POSITION OF CROSSING GUARD

WHEREAS, the Chief of Police has recommended appointing Nancy Curto and Nicholas LoSavio to the position of Crossing Guard.

WHEREAS, the Chief Financial Officer has attested that funds are available for this purpose in the 2012 Police Department Budget # 240, Operating Account for Part-time Help # 130.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that upon satisfactory completion of a background check Nancy Curto and Nicholas LoSavio are each appointed to the position of Crossing Guard for the Borough of Madison for the school year commencing upon the effective date of this resolution and ending June 21, 2012, unless the school year is extended due to winter weather closings

BE IT FURTHER RESOLVED, that Nancy Curto and Nicholas LoSavio each be compensated in accordance with the Borough Resolution establishing the salaries for part-time, school crossing guards.

R 34-2012 Item removed and the # retired

R 35-2012 RESOLUTION OF THE BOROUGH OF MADISON DESIGNATING TOWING OPERATORS FOR 2012, 2013 AND 2014

WHEREAS, the Borough Chief of Police has requested that the Borough Council establish a list of licensed towing operators for 2012, 2013 and 2014 pursuant to Borough Code §176-7; and

WHEREAS, applications for such license have been made by T&J Service Center, Inc., and DeFalco's Automotive and Towing; and

WHEREAS, the Chief of Police has advised that such applicants have been investigated pursuant to the requirements of the Borough Code and they are satisfactory; and

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WHEREAS, the Chief of Police has requested that the Council pass a resolution authorizing issuance of the towing licenses for the years 2012, 2013 and 2014; and

WHEREAS, the Borough Council has determined to authorize such towing licenses.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that towing licenses pursuant to Borough Code Chapter 176 shall be issued to T&J Service Center, Inc., and DeFalco's Automotive and Towing for the years 2012, 2013 and 2014.

R 36-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR TREE TRIMMING SERVICES TO HONOR TREE SERVICE, INC. OF MADISON, NEW JERSEY

WHEREAS, the Borough of Madison publicly advertised for bids for Tree Trimming services for 2012-2013 (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, Honor Tree Service, Inc., of Madison, New Jersey, submitted the lowest bid in the amount of \$95.00 per hour for request one and \$95.00 per hour for request two for a total of \$190.00 per hour for both requests; and

WHEREAS, the Superintendent of Public Works has recommended that the Contract be awarded to Honor Tree Service, Inc., in the amount of \$95.00 per hour for request one and \$95.00 per hour for request two; and

WHEREAS, the purchase order for the services for 2013 is contingent upon funds being available in the 2013 budget; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in the amount of \$95.00 per hour for request one and \$95.00 per hour for request two for this purpose, which funds are available in the 2012 Shade Tree Management Board Budget Department # 303, Operating Account #214, Tree Maintenance.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. The contract for Tree Trimming Services for 2012-2013 is hereby awarded to Honor Tree Service, Inc. based upon its bid in the amount of \$95.00 per hour for request one and \$95.00 per hour for request two with the provision that the purchase order for the services for 2013 is contingent upon funds being available in the 2013 budget.

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2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Honor Tree Service, Inc. in a form acceptable to the Borough Attorney.

R 37-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF EMERGENCY EQUIPMENT FOR THE MADISON RECREATION CENTER

WHEREAS, the Borough Council has determined that there is a need for emergency and security equipment for the Madison Recreation Center (“MRC”);

WHEREAS, the Borough Council authorized the purchase and installation of lighting fixtures and field equipment for the MRC and appropriated \$3,500,000.00 for installation of turf fields and equipment by Ordinance 2-2011; and

WHEREAS, the Borough Council wishes to authorize the grading of an ambulance emergency access driveway at no cost, as well as the purchase of Automated External Defibrillator (“AED”) equipment, an emergency call box, and three (3) pan/tilt/zoom security cameras to be connected to the fiber network to allow police 24/7 surveillance for the MRC.

WHEREAS, the Director of Finance has attested that funds will be available for same in accordance with Ordinance 2-2011.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. The Borough Engineer, in consultation with the Madison Police Department shall recommend specifications for three (3) pan/tilt/zoom security cameras to connect to the fiber network to allow police surveillance and Automated External Defibrillator (“AED”) equipment for installation at the MRC, at a cost not to exceed \$37,500.00.

2. The qualified purchasing agent or the Borough Administrator shall make the purchases authorized herein.

4. The Borough Administrator in consultation with the Borough Engineer shall arrange for the grading of an ambulance emergency access driveway to be installed at no cost.

UNFINISHED BUSINESS

OPEN SPACE, RECREATION AND HISTORIC PRESERVATION ADVISORY COMMITTEE

Three-year term through December 31, 2014
Melissa Honohan, Madison Resident (#2 of 4)

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One-year unexpired term (Spelker) through December 31, 2012
Lisa Ellis, Madison Resident (#4 of 4)

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan, Mrs. Vitale
Nays: None

APPROVAL OF VOUCHERS

On motion by Mrs. Tsukamoto seconded by Dr. Esposito and carried, the following vouchers of the Borough of Madison were approved for payment, and the supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Public Safety	\$41,324.79
Health & Public Assistance	24,481.68
Public Works & Engineering	244,006.74
Community Affairs	5,509.45
Finance & Borough Clerk	4,043,192.92
Utilities	<u>1,115,990.69</u>
Total	<u>\$5,444,506.27</u>

The following roll call vote was recorded approving the aforementioned vouchers:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan, Mrs. Vitale
Nays: None

NEW BUSINESS

Mayor Conley made appointments to the following Committees:

- 39 Acres Passive Recreation Committee
- Board of Education Shared Services Committee
- Construction Review committee
- GVRP Property Redevelopment Plan Qualifications Review Committee
- RFP Professional Services review Committees

Mrs. Tsukamoto moved confirmation of each of the foregoing appointments to committees. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan, Mrs. Vitale
Nays: None

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ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:45 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved March 26, 2012 (EO)