

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

January 23, 2012 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 23rd day of January 2012. Mayor Conley called the meeting to order at 7 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
Carlotta Budd, Esq. for Joseph Mezzacca, Jr., Borough Attorney, excused

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:

CONTRACT MATTERS (4)
REVALUATION
WATER METER REVIEW CHARGE
GVRS REVIEW COMMITTEE
AFFORDABLE HOUSING TRUST FUND

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

PERSONNEL MATTERS (7)

Regular Meeting Minutes – January 23, 2012

OFFICE ASSISTANT – PART-TIME TAX ASSESSOR'S OFFICE
SEPARATION PAYMENTS
OFFICE ASSISTANT – PART-TIME, WATER & ELECTRIC UTILITY
POLICE SERGEANT
PROBATIONARY PATROLMAN
PAY-FOR-PERFORMANCE PROGRAM
TEMPORARY PURCHASING AGENT

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 8:12 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES - None

GREETINGS TO PUBLIC

Mayor Conley made the following comments:
Mayor Conley noted his attendance at a NJLOM seminar 'Orientation for the Newly Elected, Re-elected, or Experienced'.

REPORTS OF COMMITTEES

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
The Madison Police Department reports several thefts of high end vehicles in The Borough of Madison and surrounding communities. Project Community Pride will hold its annual breakfast at the Madison Hotel on March 16, 2012. Mrs. Tsukamoto thanked Technology Director Jim Sanderson for his work on an improved Borough website that should be implemented this week.

Utilities

Dr. Esposito, Chair of the Committee, made the following comments:
The Water Department reports pumping 42 million gallons of water in December 2011, which is an average, and continues to make well repairs. The Electric Utility Department continues to maintain their system, remove tree branches and make repairs. The Borough made another purchase of wholesale electricity at an excellent rate of \$49.97 per megawatt hour.

Public Works and Engineering

Mr. Links, Chair of the Committee, made the following comments:
Mr. Links reported that the Public Works Department did a great job with snow removal and noted that the newly implemented brine system is working. Christmas tree pick will continue until January 27th

Finance and Borough Clerk

Mr. Catalanello, Chair of the Committee, made the following comments:
The Morris County Board of Taxation has ordered the Borough to conduct a revaluation of real property to be conducted in 2012 for new tax equalizations in 2013. The Borough will hold an open house to provide information and flyers will

Regular Meeting Minutes – January 23, 2012

also be mailed to residents. The Waterline protection program was recently lunched with information available on the Borough website.. The filing deadline for Nomination Petitions for County Committee Member, as well as Municipal Office, is April 2, 2012. Forms are available in the Clerk's Office. Requests for proposal for professional services, due January 13th and Request for Qualifications for Green Village Road School property, due February 3rd, are both available in the Clerk's office. Mr. Catalanello thanked CFO Robert Kalafut for his efforts in attaining a very low net interest rate on recent notes sold.

Health & Public Assistance

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

Mr. Landrigan reported that fundraising efforts are underway to support the MRC fields project. Tickets will be sold until the drawing on April 14th. A wet weather protocol is being put together for use of the fields. The Senior Advisory committee is putting together a program entitled 'The Time of Your Life' for mid-April. Department of Community Affairs is offering a low income home heating program and accepting applications.

Community Affairs

Mrs. Vitale of the Committee made the following comments:

Mrs. Vitale noted her recent meeting with the Madison Alliance Addressing Substance Abuse. Information regarding drug and alcohol laws and their consequences will be distributed at the Madison Joint Municipal Court of Madison, the Chathams and Harding. The MAASA group, along with Frank Iannarone, is also working on a program regarding underage consumption of alcohol. The Madison Health Department is involved in two environmental issues, one regarding noise at 175 Park Avenue, which was determined not to be a violation and the construction project at Greenwood Avenue and Main Street, along with the Borough Engineer, to ensure the safety of residents. Mrs. Vitale noted that the Board of Health held their reorganization meeting on January 17th.

COMMUNICATIONS AND PETITIONS- None

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.**

Tim Harrington, Crossgates Road, inquired if any of the items on the Council agenda are posted on the Borough website. Mr. Harrington asked about release of funds from the Affordable Housing Trust fund.

Sam Cerciello, Park Avenue, stated that he has talked to many residents in favor of funding improvements at the Public Library and noted that the funding of the Public Safety Building was not a referendum question.

Maureen Byrne, Albright Circle, Chairman of the Friends of the Madison Library, noted that the recent annual fund drive has been overwhelmed by the support of the community and raised over \$70,000. Mrs. Byrne reminded the Council that the funds raised are for support of the collection and programs and not the operation of the Public Library. Mrs. Byrne asked that the Council continue to support the Library.

Regular Meeting Minutes – January 23, 2012

AGENDA DISCUSSIONS

01/23/2012-1 LIBRARY PRESENTATION

Thomas P. Binting, President of the Trustees of the Madison Public Library addressed the Council regarding capital improvements to the Public Library. Mr. Binting offered review of proposed capital needs for the Library facility, noting safety as a primary concern.

01/23/2012-2 2012 MUNICIPAL BUDGET HEARING SCHEDULE

Following discussion there was consensus that Executive Assistant Theresa Devecchi coordinate proposed dates for budget hearings with the Council members' schedules.

01/23/2012-3 AWARD OF PUBLIC WORKS EMERGENCY CONTRACTS

- (a) Honor Tree Service for Tree Removal
- (b) Peterscape for Brush Grinding

There was consensus to list resolutions for Council approval of emergency purchase due to the October snow storm. The budget account that funds come from will be added to each resolutions.

Resolutions R 42-2012 and R 43-2012 are listed on Consent Agenda as amended.

01/23/2012-4 AWARD OF CONTRACT FOR PURCHASE OF HYDRAULIC PORTABLE LIFTS

Mr. Maines noted that funds were appropriated last year for this purchase, and that the lift can be use inside or out, even on the road if need. There was consensus to list for approval.

Resolution R 44-2012 is listed on Consent Agenda.

01/23/2012-5 PUBLIC WORKS ANNUAL CONTRACTS

- a) Allied Oil Co. for gasoline through Morris County Cooperative Contract #1
- b) Tree King, Inc. for tree removal services through Morris County Cooperative Contract #18
- c) Finch Oil CO for Ultra Low Sulphur Diesel Fuel through Morris County Cooperative Contract #2
- d) Atlantic Salt for rock salt through Somerset County Cooperative cc-54-10

Mrs. Tsukamoto raised concern that each resolution list the budget line item where funds come from. Mr. Codey noted that these annual purchases are listed in the 2012 Temporary budget.

Resolutions R45-2012, R 46-2012, R 47-2012 and R 48-2012 are listed on Consent Agenda.

01/23/2012-6 Item removed

01/23/2012-7 BOROUGH COUNCIL BY-LAWS UPDATE – SPECIAL COMMITTEE REPORT

Mrs. Tsukamoto explained that the By-laws Amendment Committee met and compiled a list of recommended changes to the Borough Council by-laws. Mrs. Tsukamoto provided information on the committees's findings. The Committee reviewed bylaws to reflect current practices. One area to be added is the Joint Municipal Court committee liaison position. Mrs. Tsukamoto suggested that the

Regular Meeting Minutes – January 23, 2012

Finance Liaison be part of the Joint Municipal Court committee. Mr. Landrigan also recommended making special committee appointments consistent with how other committees are arranged. Mrs. Vitale asked that the proposed code of conduct also be made part of the Council by-laws. The Borough clerk will provide a red-line version for Council consideration at the next meeting.

01/23/2012-8 Item removed

01/23/2012-9 SCHOOL BOARD ELECTIONS

Following discussion, there was consensus to wait and see if the Madison Board of Education makes a recommendation regarding moving the School Board Elections to the November General election, prior to the Borough Council make any decision.

01/23/2012-10 PROFESSIONAL SERVICES RFP REVIEW COMMITTEES SCHEDULE

There was agreement that Executive Assistant Theresa DeVecchi be asked to coordinate committee schedules for meetings so that each professional services can be reviewed within 60 days.

01/23/2012-11 Item removed

ADVERTISED HEARINGS - None

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.

Sam Cerciello; Park Avenue, suggested that the residents be allowed to make the decision regarding the date for School Board elections. Mr. Cerciello inquired as to who enforces snow removal from sidewalks.

Patrick Rowe; Pine Avenue, asked the Council to consider changing the process regarding the Municipal Budget, in terms of more public input, and suggested that more information regarding the budget be placed on the Borough website.

Tim Harrington, Crossgates Road, suggested that each committee reviewing the professional services check to see if the responses comply with what was requested for each position.

Don Brunner; Redmond Drive, asked if the Council had considered changing the time to begin the regular council meetings, as proposed by a resident at the previous Council meeting.

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

Regular Meeting Minutes – January 23, 2012

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, as amended. 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 38-2012 RESOLUTION OF THE BOROUGH OF MADISON UPDATING THE PERSONNEL POLICIES AND PROCEDURES MANUAL AND THE EMPLOYEE HANDBOOK TO INCLUDE A NEW PERFORMANCE EVALUATION FORM

WHEREAS, the Borough Administrator has recommended revising section six of the Borough Personnel Policies and Procedures Manual and the Employee Handbook to include a new performance evaluation form, a copy of which is attached hereto; and

WHEREAS, the Borough Council has determined to adopt such recommendations.

WHEREAS, the new performance evaluation form requires the supervisor to set specific and measurable goals and select performance criteria for each subordinate. It requires the supervisor to document performance results after objectively evaluating each subordinate according to how well the goals are accomplished based on the quality of work, quantity of output, specific attitude and efforts towards improvements. It also requires the supervisor to document performance improvement and professional development plans. Once the employees are evaluated in a consistent, fair and objective manner, the administrator will use these performance results to prepare salary increase recommendations for the Governing Body's approval.

WHEREAS, this policy change has been reviewed and approved by the Borough Labor Attorney and the JIF.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris in the State of New Jersey that the recommended revision to the Personnel Policies and Procedures Manual and the Employee Handbook to include a new performance evaluation form attached hereto is hereby approved and the Borough Administrator is authorized to provide any required notice to employees.

Regular Meeting Minutes – January 23, 2012

R 39-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RELEASE OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUND IN THE AMOUNT OF \$437,000

WHEREAS, the Affordable Housing Administrator/Municipal Housing Liaison has requested the release of \$437,000.00 from the Housing Trust Fund to the Madison Affordable Housing Corporation be authorized for the cost of environmental cleanup on the Orchard Street and Strickland Road site and for a portion of the cost of construction for the three single family housing units to be built on site; and

WHEREAS, the release of said funds shall be in accordance with the approved spending plan for the affordable housing development; and

WHEREAS, the release of said funds shall be conditioned on the building plans being approved by the Governing Body and all grant funds received for the project being expended prior to the use of the Housing Trust Fund monies.

WHEREAS, the Affordable Housing Administrator/Municipal Housing Liaison has advised the Borough that the funds in the Housing Trust Fund will be used in accordance with the rules and regulations promulgated by the Council On Affordable Housing (“COAH”) for the development of affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the release of \$437,000.00 from the Housing Trust Fund to the Madison Affordable Housing Corporation for the purposes requested herein, to be used in accordance the rules and regulations promulgated by COAH in accordance with the approved spending plan for the development of affordable housing, is hereby authorized upon approval of the building plans by the Governing Body and with the provision that all grant funds received for the project are to be expended prior to the use of the Housing Trust Fund monies.

R 40-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO TOREY J. SABATINI SCHOOL

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

**PTO TOREY J. SABATINI SCHOOL
I.D. No. 274-5-33160
R.A. No. 1229 – On Premise
June 8, 2012**

Regular Meeting Minutes – January 23, 2012

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

R 41-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR YARD WASTE COLLECTION AND DISPOSAL TO WASTE INDUSTRIES

WHEREAS, the Borough of Madison publicly advertised for bids for Yard Waste Collection and Disposal in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the only bid received was from Waste Industries, LLC, of Elizabeth, New Jersey; and

WHEREAS, the Purchasing Officer has recommended that the Borough Council award a contract to Waste Industries, LLC, for Yard Waste Collection and Disposal in an amount not to exceed \$579,000.00 for a three year contract; for the base bid for 41 consecutive weeks of yard waste pick-up and collection beginning mid March of each year; and

WHEREAS, the Chief Financial Officer has attested that funds are available for 2012 for this purpose in the 2012 Garbage and Trash Removal budget # 465, Operating Account # 222, for Yard Waste Collection and Disposal, and that funds for 2013 and 2014 are subject to availability in the municipal budget for 2013 and 2014.

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. A three year contract for the Yard Waste Collection and Disposal is hereby awarded for the base bid for 41 consecutive weeks of yard waste pick-up and collection beginning mid March of each year to Waste Industries, LLC, in an amount not to exceed \$579,000.00, with a provision that the contract for services in 2013 and 2014 is subject to and contingent upon availability of funds in the municipal budget for 2013 and 2014.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with Waste Industries, LLC, in a form acceptable to the Borough Attorney.

R 42-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PAYMENT IN THE AMOUNT OF \$16,055.00 TO HONOR TREE SERVICE FOR TREE REMOVAL SERVICES ON AN EMERGENCY BASIS DURING THE OCTOBER 2011 SNOWSTORM

Regular Meeting Minutes – January 23, 2012

WHEREAS, the Superintendent of Public Works has advised the Borough Council that emergency tree removal services were required as a result of an unexpected snowstorm in October 2011 in order to protect the health and welfare of the public; and

WHEREAS, the Borough expended \$16,055.00 for tree removal services on an emergency basis, pursuant to N.J.S.A 40A:11-6, and

WHEREAS, the Superintendent of Public Works has requested that the Borough authorize payment to Honor Tree Service in the amount of \$16,055.00 for same which payment is authorized pursuant to N.J.S.A 40A:11-6(b); and

WHEREAS, the Borough Council has determined to authorize payment in the amount of \$16, 055.00 for the emergency services; and

WHEREAS, the Chief Financial Officer has attested that funds are available in the amount of \$16,055.00 for this purpose and are budgeted in the Electric Utility Field Department # 502, account 215.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that payment in the amount of \$16,055.00 is authorized to be made to Honor Tree Services for the emergency tree removal services described herein.

R 43-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PAYMENT IN THE AMOUNT OF \$17,437.50 TO PETERSCAPE LAND CLEARING AND RECYCLING, INC. FOR TREE GRINDING SERVICES ON AN EMERGENCY BASIS DURING THE OCTOBER 2011 SNOWSTORM

WHEREAS, the Superintendent of Public Works has advised the Borough Council that emergency tree grinding services were required as a result of an unexpected snowstorm in October 2011 in order to protect the health and welfare of the public; and

WHEREAS, the Borough expended \$17,437.50 for tree grinding services on an emergency basis, pursuant to N.J.S.A 40A:11-6, and

WHEREAS, the Superintendent of Public Works has requested that the Borough authorize payment to Peterscape Land Clearing and Recycling, Inc. in the amount of \$17,437.50 for same which payment is authorized pursuant to N.J.S.A 40A:11-6(b); and

WHEREAS, the Borough Council has determined to authorize payment in the amount of \$17,437.50 for the emergency services; and

Regular Meeting Minutes – January 23, 2012

WHEREAS, the Director of Finance has attested that funds are available in the amount of \$17,437.50 for this purpose and are budgeted in the Electric Utility Field Department # 502, account 215.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that payment in the amount of \$17,437.50 is authorized to be made to Peterscape Land Clearing and Recycling, Inc. for the emergency tree grinding services described herein.

R 44-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR PURCHASE OF ABOVE GROUND HYDRAULIC PORTABLE LIFTS TO DOVER INDUSTRIES UNDER STATE CONTRACT IN THE AMOUNT OF \$46,410.63

WHEREAS, the Borough of Madison desires to award a contract for the purchase of above ground hydraulic portable lifts to Dover Industries under state contract number G8023/GSA in the amount of \$46,410.63; and

WHEREAS, the purchase of goods and services by local contracting units through a state contract is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq.; and

WHEREAS, Dover Industries has been awarded state contract G8023/GSA for vehicle lifts and related equipment; and

WHEREAS, the Superintendent of Public Works has recommended that the Borough Council utilize this contract for the purchase of above ground hydraulic portable lifts in the amount of \$46,410.63; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$46,410.63 for this purpose as appropriated from the General Capital Improvement Fund by Ordinance 8-2011.

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. A contract for the purchase of above ground hydraulic portable lifts is hereby awarded to Dover Industries under state contract number G8023/GSA, at a total price not to exceed \$46,410.63.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Dover Industries under state contract number G8023/GSA for the purchase of above ground hydraulic portable lifts at a total price not to exceed \$46,410.63, in a form acceptable to the Borough Attorney.

Regular Meeting Minutes – January 23, 2012

R 45-2012 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE ORDER/CONTRACT TO ALLIED OIL COMPANY FOR THE PURCHASE OF GASOLINE UNDER THE MORRIS COUNTY COOPERATIVE CONTRACT #1 GASOLINE

WHEREAS, the Borough of Madison desires to ratify an award of a purchase/order contract for the purchase of gasoline to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Allied Oil Company of Manville, New Jersey has been awarded Morris County Co-Operative Pricing Council contract number 1 Gasoline; and

WHEREAS, the Superintendent of Public Works has recommended that the Borough Council utilize this contract for the purchase of gasoline in the amount of \$200,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$200,000.00 for this purpose, which is in the 2012 Gasoline Budget #460, account 421. This is contingent upon the adoption of the 2012 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract awarded to Allied Oil Company of Manville, New Jersey for the purchase of gasoline, at a total price not to exceed \$200,000.00 under the Morris County Co-Operative Pricing Council contract number 1 Gasoline is hereby ratified and approved.

R 46-2012 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE ORDER/CONTRACT TO TREE KING FOR TREE REMOVAL SERVICES UNDER THE MORRIS COUNTY COOPERATIVE CONTRACT

WHEREAS, the Borough of Madison desires to ratify an award of a purchase/order contract for Tree Removal services to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Tree King, Inc. of Landing, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract Number 18, Tree Removal; and

Regular Meeting Minutes – January 23, 2012

WHEREAS, the Superintendent of Public Works has recommended that the Borough Council utilize this contract for the purchase of Tree Removal services in the amount of \$42,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$42,000.00 for this purpose, which are in the 2012 Shade Tree Department Budget #303, account 214. This is contingent upon the adoption of the 2012 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract awarded to Tree King, Inc. of Landing, New Jersey for the purchase of Tree Removal services, at a total price not to exceed \$42,000.00 under the Morris County Co-Operative Pricing Council Contract Number 18, Tree Removal is hereby ratified and approved.

R 47-2012 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE ORDER/CONTRACT TO FINCH OIL COMPANY OF KEARNY, NEW JERSEY FOR ULTRA LOW SULFUR DIESEL FUEL UNDER THE MORRIS COUNTY COOPERATIVE CONTRACT

WHEREAS, the Borough of Madison desires to ratify an award of a purchase/order contract for Ultra Low Sulfur Diesel Fuel to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Finch Oil Company of Kearny, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract #2 for Ultra Low Sulfur Diesel Fuel and

WHEREAS, the Superintendent of Public Works has recommended that the Borough Council utilize this contract for the purchase of Ultra Low Sulfur Diesel Fuel in the amount of \$100,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$100,000.00 for this purpose, which are in the 2012 Gasoline Budget# 460, account 421. This is contingent upon the adoption of the 2012 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract awarded to Finch Oil Company of Kearny, New Jersey, for Ultra Low Sulfur Diesel Fuel, at a total price not to exceed \$100,000.00 under the Morris

Regular Meeting Minutes – January 23, 2012

County Co-Operative Pricing Council Contract #2 Ultra Low Sulfur Diesel Fuel is hereby ratified and approved.

R 48-2012 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE ORDER/CONTRACT FOR SALT TO ATLANTIC SALT OF LOWELL, MA, UNDER THE SOMERSET COUNTY COOPERATIVE PRICING COUNCIL PROGRAM

WHEREAS, the Borough of Madison desires to ratify an award of a purchase/order contract for salt to an authorized vendor under the Somerset County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Atlantic Salt of Lowell, MA, has been awarded Somerset County Co-Operative Pricing Council Contract cc-54-10 for the purchase of salt; and

WHEREAS, the Superintendent of Public Works has recommended that the Borough Council utilize this contract for the purchase of salt in the amount of \$88,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$88,000.00 for this purpose, which are in the 2012 Public Works Department #300, account 435. This is contingent upon the adoption of the 2012 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract awarded to Atlantic Salt of Lowell, MA for the purchase of salt at a total price not to exceed \$88,000.00 under the Somerset County Co-Operative Pricing Council Contract cc-54-10 is hereby ratified and approved.

R 49-2012— Item removed and the # retired

R 50-2012 Item removed and the # retired

R 51-2012 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ELIZABETH OSBORNE TO THE POSITION OF TEMPORARY PURCHASING AGENT

WHEREAS, the Madison Borough Administrator has recommended that, in addition to her duties as Borough Clerk, Elizabeth Osborne be appointed to the position of temporary purchasing agent at no additional compensation pursuant to N.J.S.A. 40A:11-9 (g); and

Regular Meeting Minutes – January 23, 2012

WHEREAS, the Madison Borough Council, after due consideration, has determined to appoint Elizabeth Osborne to the position of temporary purchasing agent at no additional compensation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Elizabeth Osborne is hereby appointed to the position of position of temporary purchasing agent effective immediately until further notice at no additional compensation.

R 52-2012—Item removed and the # retired

R 53-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTSO MADISON HIGH SCHOOL TO CONDUCT AN OFF-PREMISE MERCHANDISE RAFFLE ON SUNDAY, APRIL 1, 2012

WHEREAS, N.J.S.A. 5:8-1 et seq. and N.J.A.C. 13:47-1.1 et seq. prohibit the conducting of games of chance on Sunday unless specifically authorized by a duly adopted municipal ordinance; and

WHEREAS, on March 8, 1982, the Council of the Borough of Madison adopted Ordinance No. 5-82 to allow the Council, by resolution, to permit qualified organizations to conduct games of chance on Sunday; and

WHEREAS, the New Jersey Legalized Games of Chance Control Commission has issued Registration Identification No. 274-5-33795 to PTSO Madison High School; and

WHEREAS, an Application for Raffles License, together with all necessary documents and fees, has been submitted to the Madison Borough Clerk's Office by PTSO Madison High School to conduct an Off-Premise Merchandise Raffles Game on Sunday, April 1, 2012, at 170 Ridgedale, Madison;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the afore-mentioned Application for Raffles License, R.A. No. 1230, to be held as listed above, be and the same is hereby approved.

Regular Meeting Minutes – January 23, 2012

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

R 54-2012 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JOHN GATTI, JR. TO THE POSITION OF OFFICE ASSISTANT, PART-TIME IN THE BUILDING DEPARTMENT/TAX ASSESSOR OFFICE

WHEREAS, the Borough Administrator recommends the appointment of John Gatti, Jr., to the position of Office Assistant, Part-Time in the Building Department/Tax Assessor's Office, upon satisfactory completion of a background check; and

WHEREAS, the Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that John Gatti, Jr. is hereby appointed to the position of Office Assistant, Part-Time In the Building Department/Tax Assessor's Office upon satisfactory completion of a background check, at an hourly rate of \$19.47 for 29 hours per week.

R 55-2012 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING SANDRA EMMERICH TO THE POSITION OF OFFICE ASSISTANT, PART-TIME IN THE WATER AND ELECTRIC DEPARTMENT

WHEREAS, the Borough Administrator recommends the appointment of Sandra Emmerich, to the position of Office Assistant, Part-Time in the Water and Electric Department, upon satisfactory completion of a background check; and

WHEREAS, the Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Sandra Emmerich is hereby appointed to the position of Office Assistant, Part-Time In the Water and Electric Department upon satisfactory completion of a background check, at an hourly rate of \$15.00 for 29 hours per week.

R 56-2012 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JOHN MISCIA TO THE POSITION OF SERGEANT IN THE MADISON POLICE DEPARTMENT

WHEREAS, the Madison Borough Chief of Police has recommended that John Miscia be appointed to the position of Sergeant in the Madison Police Department; and

Regular Meeting Minutes – January 23, 2012

WHEREAS, the Madison Borough Council, after due consideration, has determined to appoint John Miscia to the position of Sergeant in the Madison Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that John Miscia is hereby appointed to the position of Sergeant to be compensated in accordance with the Police Benevolent Association Collective Bargaining Agreement.

R 57-2012 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ELVIN GIORDANO TO THE POSITION OF PROBATIONARY POLICE OFFICER

WHEREAS, the Madison Borough Chief of Police has recommended that Elvin Giordano be appointed to the position of Probationary Police Officer in the Madison Police Department; and

WHEREAS, the Madison Borough Council, after due consideration, has determined to appoint Elvin Giordano to the position of Probationary Police Officer in the Madison Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Elvin Giordano is hereby appointed to the position of Probationary Police Officer in the Madison Police Department effective immediately, to be compensated in accordance with the Police Benevolent Association Collective Bargaining Agreement.

UNFINISHED BUSINESS

Mayor Conley appointed the following Council members to the Green Village Road School Property Redevelopment committee and asked for Council confirmation. Committee Members: Mrs. Tsukamoto, Mr. Landrigan and Mrs. Vitale.

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 Dr. Esposito seconded by Mr. Conley 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	\$31,769.45
Health & Public Assistance	3,383.29
Public Works & Engineering	38,083.18
Community Affairs	0.00

Regular Meeting Minutes – January 23, 2012

Finance & Borough Clerk	2,985,516.58
Utilities	<u>1,134,384.09</u>
Total	<u>\$4,193,136.59</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 - None

ADJOURN

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

Respectfully submitted,

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