

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

**January 27, 2014 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 27th day of January, 2014. Mayor Conley called the meeting to order at 7:30 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 2, 2014. 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:

Robert G. Catalanello  
Robert Landrigan  
Carmela Vitale  
Astri J. Baillie  
Benjamin Wolkowitz  
Patrick W. Rowe

Also Present:

James E. Burnet, Assistant Borough Administrator  
Elizabeth Osborne, Borough Clerk  
Bruce Padula, Esq. for Matthew J. Giacobbe, Esq. Borough Attorney  
Absent: Raymond M. Codey, Borough Administrator, excused

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**READING OF CLOSED SESSION RESOLUTION**

Mr. Landrigan moved:

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

MINUTES FOR APPROVAL (1)

none

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

CONTRACT MATTERS (3)

TOWNSHIP OF MILLBURN ANIMAL CONTROL SERVICES  
39 GREEN VILLAGE ROAD REDEVELOPMENT

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FIRST OCCUPATIONAL RECYCLING & WASTE, INC.

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

PERSONNEL MATTERS (4)

DEPARTMENT OF PUBLIC WORKS

PART-TIME CLERK-CONSTRUCTION OFFICE

PART-TIME CLERK-BOROUGH CLERK'S OFFICE

PART-TIME POSITIONS-UTILITY BILLING OFFICE

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

Seconded: Mr. Catalanello

Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

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

**APPROVAL OF MINUTES**

Ms. Baillie moved approval of the **Reorganization Meeting Minutes of January 1, 2014**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

Madison Police Department officials have review the Green Village Road route to schools and sent their report to the Board of Education.

Mayor Conley announced the schedule for the 2014 Municipal Budget, noting tonight's presentation of the operating budget, a town hall meeting will be held on Saturday, February 1, 2014, at 10:00 a.m. Department Heads will present budgets at a special meeting on February 3<sup>rd</sup> at 7:00 p.m. and discussion will continue at the regular Council meeting of February 10<sup>th</sup>. Final budget adjustment will be considered at the February 24, 2014 meeting. Introduction of the budget is scheduled for the March 10<sup>th</sup> Council meeting and the public hearing and adoption is planned for the April 14<sup>th</sup> Council meeting.

Mayor Conley presented Mr. Burnet with the first annual award 'Give Back to the Community' for his efforts regarding the Chief Executive Council.

**REPORTS OF COMMITTEES**

**Health**

Mr. Landrigan of the Committee made the following comments:

Influenza vaccines are still available at the Health Department. Mr. Landrigan noted he met with New Jersey State OEM to review Madison's requests for reimbursement and should receive the remainder of those funds in four to six weeks.

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### **Public Works and Engineering**

Mr. Catalanello, Chair of the Committee, made the following comments:  
The Capital Review Committee met to discuss 2014 priorities and the five year capital projections. Final Plans and specs for the Road Reconstruction project are ready for bidding in February. A yard waste collection day has been scheduled for Saturday, February 15<sup>th</sup> at the John Street garage. Mr. Catalanello congratulated Public Works staff for their efforts removing snow.

### **Utilities**

Mrs. Vitale, Chair of the Committee, made the following comments:  
The Electric Utility has replaced a faulty transmitter on Woodland Road and restored Bank 2 at the Kings Road substation. Maintenance continues on utility vehicles. The Water Department has answered many calls due to frozen pipes as well as burst meters and repaired water main breaks at Avon Drive, Albright Circle and Cross Gates Road.

### **Public Safety**

Ms. Baillie, Chair of the Committee, made the following comments:  
Project Community Pride has planned an information meeting on prescription drug abuse, together with Quest Diagnostics, the Madison Pharmacy and the Madison Police Department. Social workers have formed a group for 5<sup>th</sup> grade girls to help with the pressures of school. The Police Department has received a donation of a radar sign from Reology, Inc. and SafeWise, an online security and criminal data review website, has ranked Madison as the 9<sup>th</sup> safest town in New Jersey. The Fire Department responded to a chimney fire at 280 Kings Road and assisted Chatham Township at a residential structural fire. The 2013 year end report for the Fire Department includes 12,000 call, 18 department drills conducted, 321 CO inspections, 447 fire prevention inspection of commercial property and 757 sub code inspections. Fees and fines collected by the Fire Department in 2013 were \$103,451.00.

### **Finance and Borough Clerk**

Mr. Wolkowitz, Chair of the Committee, made the following comments:  
In anticipation of the June 3rd Primary Election, the filing Deadline for Nomination Petitions for County Committee Member as well as Municipal Office is March 31, 2014. Forms are available in the Clerk's Office. IRS tax preparation services are available at the Senior Center through April 15<sup>th</sup> and the Senior Freeze, property tax reimbursement program, is available to residents 65 or holder, with less the \$84,289 annual income. Additional information can be found on the Borough website.

### **Community Affairs**

Mr. Rowe, Chair of the Committee, made the following comments:  
The Downtown Development Commission - 2014 is going to emphasize partnerships with Borough groups including MACA, MMA, HPC, CECM, Drew, Chamber, Rotary, DPW, Borough and more. DDC Commissioners were sworn in for another term, including new commissioner, Barb Short from Quest Diagnostics. The Cook Plaza Alleyway renovation is complete, including new lighting and the DDC is planning for their annual events, including – the Sidewalk Art Gallery and Auction, the Taste of Madison, May Day, the Farmers' Market and other events, as well as several large public improvement projects for 2014, including way finding signs, Wi-Fi for the downtown, a Downtown Historical Walking Tour partnering with Historic Preservation Committee and mobile performance space. The Recreation Advisory Committee meeting focused on a draft of the "Recreation Department Code and Policies," which the Council will be seeing later this quarter.

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**COMMUNICATIONS AND PETITIONS**

E-mail received January 22, 2014, from Melissa Fitzgerald, Green Village Road, thanking members of the Electric Utility for the quick replacement of a street light.

**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.**

**Sam Cerciello, Park Avenue**, asked if the roadway reconstruction projects listed in proposed Ordinance 2-2014 will be bid as one project.

**Kevin Kilgore, Academy Road**, thanked the Mayor and Council for including Academy Road in the 2014 Roadway Reconstruction project.

**Mary Beth Forte, Academy Road**, thanked the Mayor and Council for the proposed ordinance appropriating funds to repair Academy Road.

**AGENDA DISCUSSIONS**

**01/27/2014-1** OPEN SPACE COMMITTEE QUARTERLY REPORT  
Melissa Honohan, Chair of the Open Space Committee, presented the Committee's quarterly report, including outflow of funds and projected inflow for 2014, included in monthly meeting minutes. Mr. Catalanello raised a question regarding advisory committees to adjourning to executive session. Following discussion, there was consensus that the Borough Attorney advise Council at the next meeting.

**01/27/2014-2** MPD RULES AND REGULATIONS  
Mr. Burnet provided explanation of an amendment to the Police Department Rules and Regulations to meet the requirements of the New Jersey State Chief's Association Accreditation Program.

Resolution R 53-2013 is listed on the Consent Agenda

**01/27/2014-3** 2014 ROAD RECONSTRUCTION PLAN  
Borough Engineer Robert Vogel commented on the proposed 2014 roadway reconstruction project, noting roads to be included but not limited to North Street, Pine Tree Terrace, Durwood Place, Fletcher Place, Academy Road, Belmont Avenue, Vinton Road and Wilson Lane. There was consensus to approve Mr. Vogel's request to appropriate \$1,660,000.00 from the General Capital Improvement Fund for reconstruction of Borough Roads.

Ordinance 2-2014 is listed for Introduction

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**01/27/2014-4** 2<sup>ND</sup> ANNUAL COMMITTEE CHAIR MEETING

Mayor Conley announced the second annual Committee Chair meeting to be held on Saturday, March 1, 2014 at 10:00 a.m. in the Council Chamber at the Hartley Dodge Memorial.

**01/27/2014-5** 2014 MUNICIPAL OPERATING BUDGET

Mr. Burnet presented the proposed municipal operating budget, including appropriation and expenditures and noted that no services have been eliminated and no additional staff is requested. Following discussion there was agreement to continue the budget discussion, on Monday February 3<sup>rd</sup>, Department Heads will discuss individual department budgets in more detail.

**ADVERTISED HEARINGS-NONE**

**INTRODUCTION OF ORDINANCES**

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of February 10, 2014 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

Mayor Conley called up Ordinances for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 1-2014

ORDINANCE OF THE BOROUGH OF MADISON REPLACING ORDINANCE 2-2009 PERTAINING TO PART-TIME NON-UNION SALARIES AND OFFICES

**WHEREAS**, certain changes are required in the salary ranges for non-union part-time employees;

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, as follows:

Section 1. Ordinance 2-2009 is hereby replaced by this ordinance in order to identify all non-union part-time positions and to change salary ranges for non-union, part-time employees, as follows:

<b>POSITION</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Assistant to Senior Center Director	\$8.25/hr	\$16.00
Clerk Part-time	\$8.25/hr	\$16.00
Community Service Officer	\$8.25/hr	\$17.12
Custodian, Part-Time	\$15.00	\$24.00

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Deputy Court Administrator, Part-Time	\$21.75	\$33.50
Dog and Cat Census Taker	\$8.25/hr	\$15.00
Electrical Subcode Official/Electrical Inspector	\$24,500.00/yr	\$50,000.00
Family Therapist	\$14.19/hr	\$31.63
Housing Officer	\$1.00/yr	\$1.00/yr
Intern	\$8.25/hr	\$22.00
Intern, Project Pride	\$1,500.00/yr	\$2,600.00
Laborer Part-Time	\$8.25/hr	\$15.00
Magistrate Municipal Court	\$16,377.00/yr	\$125,000.00
Meter Reader, Part-Time	\$8.25	\$18.00
Municipal Housing Liaison	\$1.00/yr	\$1.00/yr
Nature Director	\$1,100.00/program	\$2,900.00
Nature Director, Assistant	\$950.00/program	\$1,800.00
Nature Counselor	\$100.00/program	\$1,000.00
Office Assistant I, Part Time	\$14.00/hr	\$19.47
Office Assistant Part-time	\$8.25/hr	\$16.00
Playground Supervisor	\$8.25/hr	\$13.50
Plumbing Subcode Official/Plumbing Inspector	\$24,500.00/yr	\$50,000.00
Police Matron	\$8.25/hr	\$15.60
Program Assistant	\$8.25	\$16.00
Program Director	\$8.25	\$22.00
Recreation Counselor	\$8.25/hr	\$16.00
Recreation Director	\$15.00	\$26.00
School Crossing Guard	\$7.37/hr	\$16.31
Sidewalk Sweeper	\$8.25/hr	\$16.00
Skate Supervisor	\$8.25/hr	\$16.00
Special Police	\$7.64/hr	\$16.00
Summer Musical Asst. Dir.	\$850.00/prog.	\$2,500.00
Summer Musical Choreographer	\$300.00/prog.	\$1,000.00
Summer Musical Director	\$2,250.00/prog.	\$4,500.00

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Summer Musical Set Director	\$450.00/prog.	\$1,200.00
Temporary Building Inspector	\$15.00/hr	\$22.88
Van Driver	\$8.25/hr	\$18.00
Zoning Officer	\$1.00/yr	\$15,000.00

Section 2. This ordinance shall take effect as provided by law.

Mr. Wolkowitz moved that Ordinance 1-2014, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe  
Nays: None

ORDINANCE 2-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$1,660,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND  
FOR THE 2014 ROADWAY RECONSTRUCTION PROGRAM

**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$1,660,000.00 from the General Capital Improvement Fund for the 2014 Roadway Reconstruction Program for various Borough roads including but not limited to North Street, Pine Tree Terrace, Durwood Place, Fletcher Place, Academy Road, Belmont Avenue, Vinton Road and Wilson Lane; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$1,660,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$1,660,000.00 from the General Capital Improvement Fund for the 2014 Roadway Reconstruction Program for various Borough roads including but not limited to North Street, Pine Tree Terrace, Durwood Place, Fletcher Place, Academy Road, Belmont Avenue, Vinton Road and Wilson Lane; and

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

**SECTION 1:** The amount of \$1,660,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2014 Roadway Reconstruction Program for various Borough roads including but not limited to North Street, Pine

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Tree Terrace, Durwood Place, Fletcher Place, Academy Road, Belmont Avenue, Vinton Road and Wilson Lane.

SECTION 2: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

SECTION 3: This Ordinance shall take effect as provided by law.

Mr. Catalanello moved that Ordinance 2-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 3-2014

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 147 OF THE BOROUGH CODE ENTITLED "PUBLIC RECORDS AND DOCUMENTS, FEES FOR" AMEND FEES FOR CONSTRUCTION AND NON CONSTRUCTION BID DOCUMENTS

WHEREAS, the Purchasing Officer has recommended that the Borough Code be amended to reflect a fee of \$0.05 per page and \$.07 per legal size page for bid documents prepared by Borough personnel and a fee of the actual cost for construction bid documents prepared by other agencies; and

WHEREAS, the Borough Council has determined to amend Chapter 147 of the Borough Code in accordance with said recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 147 of the Borough Code Entitled "Public Records And Documents, Fees For" is amended as follows:

SECTION 1: Section 147-5. Fees for Construction and Non Construction Bid Documents

A fee shall be charged for each bid package issued by the Borough of Madison as follows:

- A. For Non Construction Bid Documents: fee \$.05 per letter size page and \$.07 per legal size page
- B. For Construction Bid Documents: fee Actual cost to prepare documents
- C. OMIT
- D. OMIT

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SECTION 2: This ordinance shall take effect as provided by law.

Mr. Catalanello moved that Ordinance 3-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: 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.

Mr. Landrigan moved adoption of the Resolutions listed on the Consent Agenda. Mr. Catalanello seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

R 47-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING  
MADISON GREEN FAIR

**WHEREAS**, the Assistant Borough Administrator has recommended approval of the Madison Green Fair on Thursday April 24, 2014, with a rain date of Friday, April 25, 2014 and authorization of closing Green Village Road in front of the Museum of Early Trades and Crafts; and

**WHEREAS**, Green Village Road would be closed from 2:00 p.m. to 8:00 p.m. between Blue Ridge Mountain Sports and Chatham Bookseller, with access maintained to the Waverly Green parking lot; and

**WHEREAS**, stores located in the James Building that front on Green Village Road shall be permitted to have merchandise for sale on the sidewalk in front of their stores while the road is closed; and

**WHEREAS**, the Police Department has approved the event with the use of Auxiliary officers.

**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 Madison Green Fair is approved subject to the safety requirements of the Madison Police Department.

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2. The Madison Police Department is authorized to close Green Village Road between Blue Ridge Mountain Sports and Chatham Bookseller from 2:00 p.m. to 8:00 p.m. on Thursday April 24, 2014, in conjunction with the Madison Green Fair.

**R 48-2014 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR THE PICKUP OF RECYCLABLE MATERIALS**

**WHEREAS**, the Borough Recycling Coordinator has recommended that the Borough renew its contract with First Occupational Recycling and Waste, Inc. for the pickup of both paper and co-mingled recyclable materials for a period of one year, commencing on January 1, 2014, at a cost not to exceed the amounts set forth in the attached letter from First Occupational Recycling and Waste, Inc. dated September 11, 2013; and

**WHEREAS**, said services would involve the removal of recyclable materials for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(S); and

**WHEREAS**, the Borough Council has determined to enter into the contract with First Occupational Recycling and Waste, Inc. for the pickup of both paper and co-mingled recyclable materials.

**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 Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a contract with First Occupational Recycling and Waste, Inc. as described above at a cost not to exceed the amounts set forth in the attached letter from First Occupational Recycling and Waste, Inc. dated September 11, 2013 in a form acceptable to the Borough Attorney.

**R 49-2014 RESOLUTION OF THE BOROUGH OF MADISON DECLARING MAY DAY 2014 TO BE HELD ON SATURDAY, MAY 3, 2014**

**WHEREAS**, the Assistant Borough Administrator has recommended to the Borough Council that the annual May Day event be held on Saturday, May 3, 2014 from 8:00 a.m. to 12 noon; and

**WHEREAS**, the May Day event provides an annual opportunity for volunteers to assist in the beautification and maintenance of our public places with the support of the Department of Public Works, thereby fostering a sense of community spirit; and

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**WHEREAS**, similar to last year, the Downtown Development Commission and the May Day committee are partnering with the Madison Ambulance Corps to host an afternoon thank you party on May 3, 2014 for all volunteers that will include music, food and regulated alcohol, with the organizations acquiring a Social Affairs permit and approval from the Police Department; and

**WHEREAS**, the Mayor and Council endorse and commend such activity for the benefit of the Borough.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that May Day 2014 will be held on Saturday, May 3, 2014.

R 50-2014 RESOLUTION OF THE BOROUGH OF MADISON DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR PROPERTY AT 39 GREEN VILLAGE ROAD (LOT 23 IN BLOCK 3001) PREVIOUSLY DESIGNATED AS AN AREA IN NEED OF REHABILITATION.

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-14, in December, 2013 the Mayor and Council designated the property at 39 Green Village Road, Lot 23 in Block 3001 (the "Property") as an area in need of rehabilitation; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7(f) the governing body may direct the Planning Board to prepare a Redevelopment Plan for the designated area.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Madison, County of Morris and State of New Jersey, that:

1. The Planning Board is directed to prepare a Redevelopment Plan for the Property located at 39 Green Village Road.
2. After preparation of the aforesaid Redevelopment Plan the Planning Board shall submit the Plan to the Mayor and Council for final consideration.

R 51-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AND RATIFYING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR THE POSITION OF PROSECUTOR FOR 2014

**WHEREAS**, the Joint Municipal Court of the Borough of Madison, Borough of Chatham, Township of Harding, the Township of Chatham and the Township of Morris has a need to obtain the Professional Services of Maryann O'Donnell McCoy, Esq., Matheau D. Nunn, Esq., and Mathew Dorsi, Esq., and/or Nicholas Pompelio, Esq., Prosecutors, as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Borough Administrator of the Borough of Madison has determined that the value of the professional services may exceed \$17,500; and

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**WHEREAS**, the anticipated term of the contract is one year and may be extended or reduced as recommended by the Joint Court Committee and approved by this governing body; and

**WHEREAS**, said Professional Services providers have completed and submitted a Business Entity Disclosure Certification which certifies that said provider has not made any reportable contributions to a political or candidate committee in the Borough of Madison, County of Morris, State of New Jersey in the previous year, and that the contract will prohibit said Professional Services provider from making any reportable contributions through the term of the contract, and

**WHEREAS**, in accordance with N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified as to the availability of funds in the 2014 Joint Municipal Court budget to be adopted by the Joint Municipal Court Committee but contingent upon governing body approval of the 2014 municipal budget.

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

1. The Mayor is hereby authorized to execute contracts for the professional services of Maryann O'Donnell McCoy, Esq., Matheau D. Nunn, Esq., and Mathew Dorsi, Esq., and/or Nicholas Pompelio, Esq., as Prosecutors, the cost of such professional service agreement not to exceed the amount certified by the Chief Financial Officer.
2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.
3. The resolution and contract are on file and available for public inspection in the office of the Municipal Clerk during regular business hours Monday through Friday.

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.

R 52-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AND RATIFYING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR THE POSITION OF PUBLIC DEFENDER FOR 2014

**WHEREAS**, the Joint Municipal Court of the Borough of Madison, Borough of Chatham, Township of Harding, the Township of Chatham and the Township of Morris has a need to obtain the Professional Services of Robert A. Warmington, Esq., Public Defender for the Borough of Chatham, the Borough of Madison,

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Township of Chatham and Township of Harding and Timothy J. Brunnock, Esq., Public Defender for the Township of Morris, as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Borough Administrator of the Borough of Madison has determined that the value of the professional services may exceed \$17,500; and

**WHEREAS**, the anticipated term of the contract is one year and may be extended or reduced as recommended by the Joint Court Committee and approved by this governing body; and

**WHEREAS**, said Professional Services providers have completed and submitted a Business Entity Disclosure Certification which certifies that said provider has not made any reportable contributions to a political or candidate committee in the Borough of Madison, County of Morris, State of New Jersey in the previous year, and that the contract will prohibit said Professional Services provider from making any reportable contributions through the term of the contract, and

**WHEREAS**, in accordance with N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified as to the availability of funds in the 2014 Joint Municipal Court budget as adopted by the Joint Municipal Court Committee but contingent upon governing body approval of the 2014 municipal budget.

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

1. The Mayor is hereby authorized to execute a contract ratifying the action of the Joint Court Committee for the professional services of Robert A. Warmington, Esq., and Timothy J. Brunnock, Esq. as Public Defender, the cost of such professional service agreement not to exceed the amount certified by the Chief Financial Officer.
2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.
3. The resolution and contract are on file and available for public inspection in the office of the Municipal Clerk during regular business hours Monday through Friday.

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.

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R 53-2014 RESOLUTION OF THE BOROUGH OF MADISON APPROVING  
POLICE DEPARTMENT RULES AND REGULATIONS

**WHEREAS**, the Madison Police Department has updated the Police Department's rules and regulations to meet the requirements of the New Jersey State Chief's Association Accreditation Program; and

**WHEREAS**, the Borough Attorney and Administration have also reviewed the proposed Madison Police Department Rules and Regulations; and

**WHEREAS**, the Police Chief has recommended adoption of the Madison Police Department Rules and Regulations; and

**WHEREAS**, the Borough Council has determined to adopt such rules and regulations.

**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 Madison Police Department Rules and Regulations as amended are hereby adopted.

R 54-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING  
GOOD GRIEF INC. TO HOLD A 5K RUN AT GIRALDA FARMS ON SUNDAY,  
JUNE 1, 2014

**WHEREAS**, Good Grief, Inc. has requested permission to use portions of Laurel Way, Woodland Road, Treadwell Avenue, and Madison Avenue in connection with the a benefit 5k run at Giralda Farms; and

**WHEREAS**, the Police Chief recommends approval of this request; and

**WHEREAS**, Good Grief, Inc. has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

**WHEREAS**, the Borough Council has reviewed said request and determined that it should be granted.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that Good Grief, Inc. is hereby granted permission to use portions of Laurel Way, Woodland Road, Treadwell Avenue, and Madison Avenue in connection with the Giralda Farms 5k Run to be conducted on Sunday, June 1, 2014, between the hours of 6:00 a.m. and 2:00 p.m. subject to the condition that Good Grief, Inc. reimburse the Madison

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Police Department for all expenses incurred in connection with the monitoring of said race.

**R 55-2014 RESOLUTION OF THE BOROUGH OF MADISON CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION AWARDS**

**WHEREAS**, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

**WHEREAS**, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

**WHEREAS**, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

**WHEREAS**, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

**WHEREAS**, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

**WHEREAS**, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

**WHEREAS**, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

**WHEREAS**, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

**WHEREAS**, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Madison strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

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**BE IT FURTHER RESOLVED**, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, State Legislative representatives of the Borough of Madison, Governor Chris Christie, and the New Jersey State League of Municipalities.

R 56-2013 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 221-2012 SUPPORTING A SCHOOL ZONE SPEED LIMIT BE ESTABLISHED ON MAIN STREET AT THE MADISON JUNIOR SCHOOL

**WHEREAS**, Resolution 221-2012 endorses and supports the safety improvement request on New Jersey Route 124 (Main Street) in the Borough of Madison, County of Morris, in that area of the Madison Junior High School; and

**WHEREAS**, the New Jersey Department of Transportation has not re-zoned Main Street since before the construction of Route 24; and

**WHEREAS**, the Borough Council wishes to amend Resolution 221-2012 to clarify that the safety improvement request on New Jersey Route 124 (Main Street) in the Borough of Madison, County of Morris, in that area of the Madison Junior School reads as: 30 miles per hour between Kings Road and Cross Street except for 25 miles per hour when passing through the Madison Junior High School zone, during recess when the presence of children is clearly visible from the road, or whole children are going to or leaving school, during opening or closing hours(approximate mileposts 4.37 – 5.12).

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Resolution 221-2012 is amended to include the description set forth above.

R 57-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF MILLBURN AND THE TOWNSHIP OF LIVINGSTON FOR ANIMAL CONTROL SERVICES

**WHEREAS**, the Assistant Borough Administrator has recommended that an Interlocal Services Agreement be entered into with the Township of Millburn and the Township of Livingston to provide animal control services; and

**WHEREAS**, the Borough of Madison would be the recipient of said services and the Township of Millburn and the Township of Livingston would be the providers of said services, and the Borough of Madison shall pay to the Township of Millburn and the Township of Livingston the cost of the services, not to exceed \$20,000.00 per year, as described in the Interlocal Services Agreement; and

**WHEREAS**, the proposed Interlocal Services Agreement would be for a period of two-years, commencing on January 1, 2014 and terminating on December

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31, 2015, with a provision that either party may terminate its participation in the Agreement by giving the other party 60 days written notice in advance; and

**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 Mayor is authorized to execute and the Borough Clerk is authorized to attest to an Interlocal Services Agreement with the Township of Millburn and the Township of Livingston as described herein in a final form approved by the Borough Attorney.

**R 58-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE DOWNTOWN DEVELOPMENT COMMISSION TO INSTALL TEMPORARY ART BANNERS IN THE DOWNTOWN**

**WHEREAS**, the Downtown Development Commission in partnership with the Madison Arts and Culture Alliance (MACA) have requested permission of the Borough of Madison to place temporary art banners in the downtown to create an outdoor sidewalk art gallery program; and

**WHEREAS**, original art work will be displayed on temporary poles that are professionally installed in downtown from late April thru mid-October; and

**WHEREAS**, the Borough Council finds that it is a benefit to the Borough of Madison and its citizens to allow an outdoor sidewalk art gallery program.

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

1. The Downtown Development Commission (DDC) is authorized to install temporary poles and display artwork in the downtown area.
2. The DDC shall prohibit certain subjects including but not be limited to political statements, commercial advertising and indecent materials to be displayed, at the discretion of the committee.

**R 59-2014 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING CHRISTINE G. MAHLER TO THE POSITION OF PART-TIME OFFICE ASSISTANT IN THE OFFICE OF THE BOROUGH CLERK**

**WHEREAS**, the Borough Clerk has recommended appointing Christine G. Mahler to the position of Part-Time Office Assistant in the Office of the Borough Clerk effective February 17, 2014; and

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**WHEREAS**, the Borough Council agrees with this recommendation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Christine G. Mahler is hereby appointed to the position of Part-Time Office Assistant in the Office of the Borough Clerk, effective February 17, 2014, to be compensated at the hourly rate of \$15.00 for a maximum of 29 hours per week, pending receipt of satisfactory background check results.

**R 60-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF MATTHEW CIAMPI TO THE POSITION OF LABORER IN THE PUBLIC WORKS PARKS DEPARTMENT**

**WHEREAS**, the Public Works Superintendant has recommended that an offer of employment be made to Matthew Ciampi for the position of Laborer in the Public Works Department; and

**WHEREAS**, the Public Works Superintendant has recommended that the CFO/Personnel Officer be authorized to hire Matthew Ciampi for the position of Laborer in the Public Works Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary of \$32,000.00 in accordance with the appropriate collective bargaining unit contract.

**WHEREAS**, the Borough 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, as follows:

1. The CFO/Personnel Officer shall make an offer of employment to Matthew Ciampi for the position of Laborer in the Public Works Department.
2. The CFO/Personnel Officer is authorized to hire Matthew Ciampi for the position of Laborer in the Public Works Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary of \$32,000.00 in accordance with the appropriate collective bargaining unit contract.

**R 61-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF MICHAEL MARANO TO THE POSITION OF TRUCK DRIVER II IN THE PUBLIC WORKS PARKS DEPARTMENT**

**WHEREAS**, the Public Works Superintendant has recommended that an offer of employment be made to Michael Marano for the position of Truck Driver II in the Public Works Department; and

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**WHEREAS**, the Public Works Superintendant has recommended that the CFO/Personnel Officer be authorized to hire Michael Marano for the position of Truck Driver II in the Public Works Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary of \$42,539.00 in accordance with the appropriate collective bargaining unit contract.

**WHEREAS**, the Borough 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, as follows:

1. The CFO/Personnel Officer shall make an offer of employment to Michael Marano for the position of Truck Driver II in the Public Works Department.
2. The CFO/Personnel Officer is authorized to hire Michael Marano for the position of Truck Driver II in the Public Works Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary of \$42,539.00 in accordance with the appropriate collective bargaining unit contract.

R 62-2014 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING AMY GREELEY TO THE POSITION OF PART-TIME OFFICE ASSISTANT IN THE OFFICE OF CONSTRUCTION

**WHEREAS**, the Borough Clerk has recommended appointing Amy Greeley to the position of Part-Time Office Assistant in the Office of Construction effective February 10, 2014; and

**WHEREAS**, the Borough Council agrees with this recommendation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Amy Greeley is hereby appointed to the position of Part-Time Office Assistant in the Office of Construction, effective February 10, 2014, to be compensated at the hourly rate of \$15.00 for a maximum of 29 hours per week, pending receipt of satisfactory background check results.

***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.**

***Don Brunner; Redmond Drive***, inquired about the position of Deputy Clerk in the Borough Clerk's Office.

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**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

On motion by Mr. Landrigan, seconded by Ms. Baillie 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	\$21,984.56
Health & Public Assistance	900.44
Public Works & Engineering	103,565.49
Community Affairs	0.00
Finance & Borough Clerk	20,563.31
Utilities	<u>1,200,545.03</u>
Total	<u>\$1,347,558.83</u>

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

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved February 24, 2014 (EO)