

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

February 13, 2012 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 13th day of February 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
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)
December 12, 2011

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

CONTRACT MATTERS (6)
10 MAPLE AVENUE
JACOB HENRY PERKINS TRUST FUND
ASPLUNDH TREE EXPERT CO

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GREEN AVENUE RECONSTRUCTION
REVALUATION
LABOR COUNSEL

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

PERSONNEL MATTERS (4)
ADMINISTRATIVE ASSISTANT – PUBLIC WORKS DEPT
LEAD MAN- PUBLIC WORKS DEPT
BOROUGH ENGINEER
MERIT PAY PROGRAM

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

LITIGATION MATTERS (1)
LITIGATION SUMMARY

Date of public disclosure 60 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 8:15 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

The **Executive Minutes of December 12, 2012** were tabled until the meeting of February 26, 2012.

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of December 12, 2012**. 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 **Reorganization Meeting Minutes of January 1, 2012**. 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

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Employees of the Month for February:

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Connie Phillips and Kristy Manion of the Madison Police Department for their work distributing the annual parking permits to residents both by mail and in person at the walk-up window.

Presentations

Mayor Conley presented Certificates of achievement to members of the Madison High School Women's Volley Ball Team, who were present along with their coaches:

Mayor Conley presented Certificates of achievement to members of the Madison High School Women's Soccer Team, who were present along with their coaches:

Mayor Conley presented Certificates of achievement to members of the Madison High School Marching Band, who were present along with their Instructors:

REPORTS OF COMMITTEES

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
The Office of Emergency Management has submitted \$470,000 in claims to the Federal Emergency Management Agency, FEMA, for reimbursement of costs incurred due to the October snow storm. Mrs. Tsukamoto noted that the annual fundraising breakfast for Project Community Pride will take place at the Madison Hotel on Saturday, March 30th. Mrs. Tsukamoto explained a resolution listed on the Consent Agenda for Council approval, authorizing participation in the Morris County First Responders Identification Card program, which conform with State guidelines.

Utilities

Dr. Esposito, Chair of the Committee, no report.

Public Works and Engineering

Mr. Links, Chair of the Committee, made the following comments:
Mr. Links reported his meeting with the Superintendent of Public Works David Maines, and noted that addition funds maybe required in the municipal budget for field maintenance, which will be discussed further at a budget session.

Finance and Borough Clerk

Mr. Catalanello, Chair of the Committee, made the following comments:
Mr. Catalanello thanked residents for attending the last two Saturday budget sessions and noted that the Capital Budget session will take place on Thursday evening, February 16th. Mr. Catalanello reported that a recent audit of the Borough's financials by Standard and Poor's has resulted in the Borough maintaining a triple AAA rating, one out of only ten New Jersey municipalities that have such a rating. The bond rating has moved from stable to negative due to the shrinking surplus. Mr. Catalanello stated that CFO Robert Kalafut will provide suggestions on how to stabilize the Borough's rating.

Health & Public Assistance

Mr. Landrigan, Chair of the Committee, made the following comments:
Mr. Landrigan noted that the DDC is once again sponsoring a Taste of Madison at the Park Avenue Club in May and more details will follow. The Senior Advisory Committee will hold a resource day on April 14th, The Time of Your Life for older

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adults and their families. Tax Volunteers are once again assisting residents in preparing tax returns from February 8th through April 11th. The Recreation Advisory Board discussed a number of issues including replacing fields at the Green Village Road School site and the best use of the Bailey Ellard fields and will conduct an inventory of field use and report back to the Mayor and Council.

Community Affairs

Mrs. Vitale of the Committee made the following comments:

Mrs. Vitale noted that a recent presentation to Council by the Madison Board of Health is now available on the Borough website, and indicated that the Board of Health has been actively involved with a recent housing situation on Ridgedale Avenue.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Letter received February 8, 2012 from Tim Harrington of Cross Gates Road listing questions for February 11, 2012 budget session.

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 for explanation of resolutions R 64-2012 regarding a change order and R 66-2012 regarding amendments to the Council by-laws.

Tim Harrington, Crossgates Road, inquired about the date for the Capital Budget hearing.

AGENDA DISCUSSIONS

02/13/2012-1 NJ EMPLOYER SUPPORT GUARD AND RESERVE EMPLOYMENT INITIATIVE

There was agreement to list for Council approval a resolution in support for military veterans and their families through an employment initiative supported by the N.J. League of Municipalities.

Resolution R 61-2012 is listed on Consent Agenda.

02/13/2012-2 WHOLE FOODS GROUP, INC LIQUOR LICENSE RENEWAL

Mr. Codey explained renewal of an inactive liquor license held by Whole Foods Group for the remainder of 2102, The license holder received a Special 12.39 ruling from the N.J. State Division of Alcoholic Beverage Control to remain inactive while they actively pursue date of the license.

Resolution R 62-2012 is listed on Consent Agenda.

02/13/2012-3 MUSEUM OF EARLY TRADES & CRAFTS HISTORIC MARKER

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There was consensus to approve the installation of the historic marker behind the existing signage on the lawn for the Museum of Early Trades and Crafts by the Morris County Heritage Commission.
Resolution R 63-2012 is listed on Consent Agenda.

**02/13/2012-4 AUTHORIZE CHANGE ORDER FOR CIFELLI & SON
CONSTRUCTION FOR WOODLAND ROAD**

There was no objection to listing a resolution to authorize final payment and change order requested by Cifielli & Son Construction for the Woodland Road (West) Reconstruction project in the final amount of \$443,495.57.
Resolution R 64-2012 is listed on Consent Agenda.

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, asked for a change in the way the Borough does business with construction. Mr. Cerciello asked that the Council listen to resident input.

Sam DeMarzo, Ridgedale Avenue, asked about recent events at a house on Ridgedale Avenue. Mr. DeMarzo stated that changes to the Historic District will devalue the area in the long-run, and asked Council to look at the big picture.

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 R 58-2012 through R 65-2012 and Resolutions R 67-2012 through R 71-2012, 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 58-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING
THE SUBDIVISION AND SALE TO THE HIGHEST BIDDER OF PROPERTY
OWNED BY THE BOROUGH OF MADISON KNOWN AS LOT 2, BLOCK 2803,
LOCATED AT TEN MAPLE AVENUE

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WHEREAS, the Council wishes to authorize the subdivision of a portion of the Borough Property at 10 Maple Avenue, into one building lot; and

WHEREAS, the Council wishes to authorize the subdivision and sale of the real property located at Block 2803, Lot 2 at public auction to the highest bidder, with a minimum sale of price of \$200,000.00.

WHEREAS, the sale of such property, which is not needed for public use, is authorized by N.J.S.A. 40A:12-13.

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 property known as Block 2803, Lot 2 currently owned by the Borough of Madison located at 10 Maple Avenue shall be subdivided in accordance with a drawing prepared by Benjamin and Wizorek, PE; and
2. Upon the completion of the subdivision the lot shall be put up for sale by open public sale at auction to the highest bidder in accordance with the provisions of N.J.S.A. 40A:12-13, there shall be a minimum price fixed of \$200,000.00, but upon completion of the bidding, the highest qualified bid may be accepted or all bids may be rejected by the Borough.
3. The property shall be sold subject to
 - a. Existing municipal and state zoning laws and regulations;
 - b. A restrictive covenant in the deed of conveyance that only one single family home may be built on the lot;
 - c. Such other reasonable requirements as determined by the Borough Attorney and Borough Engineer.
4. The date of sale shall be set for after completion of the subdivision.

R 59-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING JACOB HENRY PERKINS TRUST DISBURSEMENT

WHEREAS, the Borough Administrator recommended a grant to pay quarterly property tax payments from the Jacob Henry Perkins Trust (hereafter Perkins Trust) on behalf of C.J., a Borough resident for the year 2012; and

WHEREAS, the Borough Administrator has advised the Borough Council that C.J. meets the criteria for a Perkins Trust grant; and

WHEREAS, the Borough Council has determined to approve the request for a Perkins Trust grant to pay the quarterly property taxes for the year 2012; and

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WHEREAS, the Borough Administrator recommends approving the disbursement of the grant for the above cited purpose.

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 grant is hereby approved from the Perkins Trust to pay the quarterly property taxes, for the year 2012, for the benefit of C.J., so long as C.J. meets the criteria of Perkins Trust and continues to reside in the Borough of Madison.

R 60-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PAYMENT IN THE AMOUNT OF \$33,651.20 TO ASPLUNDH TREE EXPERT COMPANY FOR TREE REMOVAL SERVICES PURCHASED ON AN EMERGENCY BASIS DURING THE OCTOBER SNOWSTORM

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

WHEREAS, the Borough expended \$33,651.20 for such 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 Asplundh Tree Expert Company in the amount of \$33,651.20, for emergency services 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 total amount of \$33,651.20 for the emergency purchase; and

WHEREAS, the Chief Financial Officer has attested that funds are available in the amount of \$33,651.20 which are in the 2012 Electric Utility Administration, Professional Services #9500, 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 is authorized to Asplundh Tree Expert Company in the amount of \$33,651.20, for emergency services described herein.

R 61-2012 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE NEW JERSEY EMPLOYER SUPPORT GUARD AND RESERVE (ESGR) EMPLOYMENT INITIATIVE PROGRAM

WHEREAS, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, "Above all, our freedom endures because of the men and women in uniform who defend it," and that "... this generation of heroes has made the United States safer and more respected around the world."; and

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WHEREAS, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

WHEREAS, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

WHEREAS, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

WHEREAS, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

WHEREAS, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

WHEREAS, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

WHEREAS, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

WHEREAS, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

WHEREAS, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

WHEREAS, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

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WHEREAS, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

WHEREAS, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

WHEREAS, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up; now therefore be it

Resolved, on this 13TH day of February, 2012 that the Borough Council of the Borough of Madison recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

Be It Further Resolved, that in gratitude, the Borough of Madison pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

Be It Further Resolved, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

R 62-2012 RESOLUTION OF THE BOROUGH OF MADISON RENEWING 2011-2012 LIQUOR LICENSE IN THE BOROUGH OF MADISON GRANTED TO WHOLE FOOD MARKETS GROUP INC.

WHEREAS, a Special Ruling has been issued by the State of New Jersey Division of Alcoholic Beverage Control to permit consideration of a renewal application for inactive Licenses No. 1417-44-001-008 in the name of Whole Food Markets Group, Inc. pursuant to N.J.S.A. 33:1-12.39; and

WHEREAS, said license has been inactive since February 24, 2009, and the petition concerns the second license term for which relief is being sought.

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 following application for renewal of Liquor License for the 2011-2012 license term is hereby approved:

DISTRIBUTION LICENSES - FEE: \$1,798.00; July 1, 2011 through June 30, 2012

Whole Food Markets Group, Inc.
Inactive License No. 1417-44-001-008
Mailing Address: 550 Bowie Street
Austin, TX 78703

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R 63-2012 RESOLUTION OF THE BOROUGH OF MADISON GRANTING PERMISSION TO THE MORRIS COUNTY HERITAGE COMMISSION TO INSTALL A HISTORIC MARKER AT THE MUSEUM OF EARLY TRADES & CRAFTS

WHEREAS, the Morris County Heritage Commission has approved the Borough's application for a historic marker for the Museum of Early Trades and Crafts; and;

WHEREAS, the Morris County Heritage Commission has requested permission to install the historic marker for the Museum of Early Trades and Crafts behind the existing signage on the lawn; and

WHEREAS, the Council wishes to approve such installation.

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 Council hereby approves the installation of the historic marker behind the existing signage on the lawn for the Museum of Early Trades and Crafts by the Morris County Heritage Commission.

R 64-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CHANGE ORDER AND FINAL PAYMENT TO CIFELLI AND SON CONSTRUCTION FOR THE WOODLAND ROAD (WEST) RECONSTRUCTION PROJECT

WHEREAS, the Borough Engineer has advised the Council that changes in unit quantities were encountered during construction for the Woodland Road (West) reconstruction; and

WHEREAS, the Borough Engineer has recommended that based on said change order, a final payment to Cifelli and Son Construction be made in the amount of \$443,495.57 which results in no additional appropriation being needed; and

WHEREAS, the Council wishes to approve said change order and payment.

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 change order and final payment in the amount of \$443,495.57 to Cifelli and Son Construction is approved.

R 65-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTICIPATION IN THE MORRIS COUNTY FIRST RESPONDERS IDENTIFICATION CARD PROGRAM

WHEREAS, the County of Morris was a designated recipient of United States Homeland Security Funding in Federal Fiscal years 2007 and 2008; and

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WHEREAS, the Federal funding is administered through the New Jersey Office of Homeland Security and Preparedness to the Morris County Office of Emergency Management; and

WHEREAS, the Morris County Office of Emergency Management under the direction of the County Board of Chosen Freeholders formulates and approves a spending plan for the Homeland Security Funds directed to the County of Morris that is consistent with the rules and parameters of the specific grant and submits the spending plan to the New Jersey Office of Homeland Security and Preparedness for approval; and

WHEREAS, the Morris County Office of Emergency Management recognized that there is no current standardized identification card for first responders within the County of Morris; and

WHEREAS, the Borough of Madison wishes to participate in this program for a secure, easily recognizable identification card for first responders, that conforms to the Office of the Attorney General's June 2011 guidance for New Jersey Credentialing Standards; and

WHEREAS, the Morris County First Responders Identification Card will display the Madison Emergency Services symbol and the emergency services name and

WHEREAS, Participation in the program is at no cost to the Borough of Madison; and

WHEREAS, this body supports a secure, easy-to-read identification card for our emergency services to employ.

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 Borough Of Madison be and is hereby authorized to participate in this program;

BE IT FURTHER RESOLVED, that the Madison Police Department be and is hereby authorized and directed to undertake the necessary municipal requirements and provide the necessary data and information to the County of Morris to insure participation in this program.

R 67-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SECOND ANNUAL PEDIATRIC ANGEL NETWORK 5K/10K RUN ON SUNDAY, MAY 20, 2012

WHEREAS, the Pediatric Angel Network has requested permission to hold a "5K/10K run" in Madison on Sunday, May 20, 2012; and

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WHEREAS, the run will take place between 7 a.m. and 12 p.m., and begin and end on Giralda Farms property utilizing the road surrounding Giralda Farms; and

WHEREAS, Police Chief Trevena recommends approval of this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Pediatric Angel Network to hold a “5K/10K run” in Madison on Sunday, May 20, 2012 as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

R 68-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY F & AM #93 MADISON LODGE

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:

F & AM #93 MADISON LODGE

I.D. No. 274-6-38897

R.A. No. 1231 – Off Premise 50/50

June 27, 2012

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

R 69-2012 RESOLUTION OF THE BOROUGH OF MADISON RENEWING AMUSEMENT DEVICE LICENSES FOR CCG HOLDINGS, LLC, AND PLAZA LANES FOR 2012

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Amusement Device License renewals be approved for the year 2012:

DEEP PATEL

**Location: Clearview Cinemas, Madison 4
14 Lincoln Place, Madison, N.J.**

MICHAEL F. RICCONE

**Location: Plaza Lanes
53 Madison Plaza, Madison, N.J.**

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BE IT FURTHER RESOLVED, that these Licenses will permit operation of three amusement machines at the Clearview Cinemas, Madison 4 and eight amusement machines at Plaza Lanes.

R 70-2012 RESOLUTION OF THE BOROUGH OF MADISON RENEWING BOWLING ALLEY LICENSE FOR PLAZA LANES FOR 2012

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Bowling Alley License renewal be approved for the year 2011:

**Company Name: PLAZA LANES
Name of Bowling Alley: PLAZA LANES
Location of Bowling Alley: 53 Madison Plaza
Madison, New Jersey**

R 71-2012 RESOLUTION OF THE BOROUGH OF MADISON RENEWING THEATER LICENSE FOR CLEARVIEW MADISON 4 FOR 2012

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Theater License renewal be approved for the year 2011:

**Company Name: CLEARVIEW CINEMAS
Name of Theater: CLEARVIEW MADISON 4
Location of Theater: 14 LINCOLN PLACE
MADISON, NEW JERSEY**

Mrs. Tsukamoto recommended changing appointment for the Joint Municipal Court Liaison immediately. Mrs. Vitale asked to remain on the committee. Mrs. Tsukamoto moved adoption of the Resolution 66-2012R listed on the Consent Agenda. Dr. Esposito seconded the motion. There was no further Council discussion and the motion passed with the following roll call vote recorded:

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

R 66-2012 RESOLUTION OF THE BOROUGH OF MADISON AMENDING COUNCIL BYLAWS FOR 2012

WHEREAS, the Borough Council wishes to amend the Borough Bylaws as recommended by the Bylaws Amendment Committee; and

WHEREAS, the Bylaws may be amended by a two-thirds vote of the Council.

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

1. The Bylaws are amended as follows:

A236-5

G. Orders of business. The following order of business shall be followed at regular meetings of the Council:

§ A236-5 G.

- (1) Call to order.
- (2) Statement in compliance with the Open Public Meetings Act.
- (3) Roll call.
- (4) Agenda review.
- (5) Reading of closed session resolution certifying that items to be discussed are authorized by law (if necessary).
- (6) Reconvene with (all) members present.
- (7) Pledge of Allegiance.
- (8) Approval of minutes.
- (9) Greeting to public.
- (10) Council Liaison reports and Borough business-related remarks.
- (11) Presentation of communications and petitions.
- (12) Invitation for discussion by the public on items on the agenda or resolutions.
- (13) Agenda discussions.
- (14) Advertised hearings.
- (15) Invitation for discussion by the public.
- (16) Introduction of ordinances.
- (17) Consent agenda resolutions.
- (18) Unfinished business.
- (19) Approval of vouchers.
- (20) New business.

§ A236-5 I. Insert “by 12 noon” after “at least seven days”

A236-6 C.(1)(d) Change “make” to “facilitate making”

§ A236-6 C.(1)(e) Change “draft resolutions and ordinances” to “facilitate drafting resolutions and ordinances and” all be taken to extend the meeting at 10:45 p.m.”

§ A236-5 M. Replace the last sentence with “Council President shall motion and a vote shall be taken to extend the meeting at 10:45 p.m.”

§ A236-6 A.(5) Delete “and Public Assistance”

§§ A236-6 C.(1)(b) and §A236-6 C.(1)(c) Change “plan, study and review” to “facilitate planning, studying and reviewing”

§ A236-7 A.

Add sub-section “(6) Serve as Finance Chairperson or Vice Chairperson of the Madison-Chatham Joint Meeting, but the Finance Chairperson may designate the second Council member appointed to Finance to serve as Finance Chairperson or Vice Chairperson of the Madison-Chatham Joint Meeting.”

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§ A236-7 A.

Add sub-section “(7) Technology.”

Add sub-section “(8) The Finance Chairperson shall serve as the back-up representative of the Madison, Chatham and Harding Joint Municipal Court Committee.”

§ A236-7 B.(1)(c) Replace “The court and civil defense.” with “The Public Safety Chairperson shall serve as an officer of the Madison, Chatham and Harding Joint Municipal Court Committee.

Delete § A236-7 C.(2)(b)

Delete § **A236-7 C.(2)(c)**

§ A236-7 D. Delete “and Public Assistance”

§ A236-7 D.(1) Delete “and Public Assistance”

Delete § **A236-7 D.(1)(b)**

§ A236-7 D.(2) Delete “/or”

§ A236-7 E.

Add sub-section “(15) Historic Preservation Committee.”

Add sub-section “(16) Environmental Commission.”

§ A236-8 A. Change “and need not include members of the Council.” to “The appointment of these committees is subject to the approval of Council and will include a Council member acting as liaison.”

§ A236-8 B. Add to the end “by the Chairperson to the Mayor and Council.”

....

2. The remainder of the Bylaws shall be unaffected by these amendments and shall continue in full force and effect.
3. The codifier shall move all modification notes from the body of the bylaws to the headnotes section along with other modification notes.

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.

UNFINISHED BUSINESS - 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	\$31,546.53
Health & Public Assistance	6,401.99
Public Works & Engineering	338,532.20
Community Affairs	14,206.35
Finance & Borough Clerk	2,455,216.57
Utilities	<u>361,538.80</u>

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Total \$3,207,442.44

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 nominated and appointed Robert A. Vogel to the position of Borough Engineer through December 31, 2012, and asked for Council confirmation.

Mrs. Tsukamoto moved confirmation of the appointment. 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 to substitute Mrs. Vitale as Liaison to the Joint Municipal Court Committee as per recently amended Council by-laws. Mr. Links seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Mr. Links, Mr. Catalanello, Mr. Landrigan

Nays: Dr. Esposito, Mrs. Vitale

ADJOURN AND RECONVENE EXECUTIVE SESSION

There being no further business to come before the Council, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

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