

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

May 13, 2013 - 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 May 2013. 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 Deputy 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 3, 2013. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Jeannie Tsukamoto
Robert G. Catalanello
Robert Landrigan
Carmela Vitale
Astri J. Baillie
Benjamin Wolkowitz

Also Present:

Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Borough Administrator
Matthew J. Giacobbe, Esq. Borough Attorney
Patricia Macaluso for Elizabeth Osborne, Borough Clerk, excused

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mrs. Vitale moved:

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

MINUTES FOR APPROVAL

None

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

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CONTRACT MATTERS (6)
ADULT SCHOOL LEASE RENEWAL
INFORMATION TECHNOLOGY SHARED SERVICES
PROJECT COMMUNITY PRIDE
GREEN VILLAGE ROAD SCHOOL PROPERTY
2013 WATER MAIN REPLACEMENT PROJECT
HDM BOILER ROOM IMPROVEMENTS

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

PERSONNEL MATTERS (7)
MUNICIPAL PROSECUTOR FOR CHATHAM TWP
SUBSTITUTE P/T SENIOR VAN DRIVER
SUMMER INTERN – ENGINEERING DEPARTMENT
SUMMER INTERN – BUILDING CONSTRUCTION OFFICE
SUMMER INTERS – PUBLIC WORKS
SUMMER INTERN – ADMIN/BOROUGH CLERK DEPARTMENTS
PART TIME NON UNION SALARIES

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

LITIGATION MATTERS (1)
49 MAIN STREET, LLC

ATTORNEY/CLIENT MATTER (1)
HELIPAD VOILATION OF THE OPMA

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

Seconded: Mrs. Tsukamoto
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-NONE

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley requested a moment of silence in honor of police officers and others who have lost their lives by protecting the lives of others while in the line of duty.

Mayor Conley thanked Fire Chief Lou DeRosa for his presentation to the Morris Historical Trust this past Saturday on keeping Geraldine in Madison. Mayor Conley commented that Geraldine can be used as a tool for recruiting future fire fighters in Madison.

Mayor Conley reported that he received a phone call from the Governor's office stating that we received \$230,000 for Green Avenue reconstruction. Ordinance 18-2013 is listed for introduction on tonight's Agenda.

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The Green Fair, postponed due to rain last Thursday, is rescheduled for this Thursday, May 16 starting at 3:30.

EMPLOYEE OF THE MONTH FOR MAY:

P.O. Chris Keller of the Madison Police Department for his dedication to the senior citizens of Madison as demonstrated by his frequent visits to the senior housing complexes on his routine patrols and by playing the bagpipes for the seniors on St. Patrick's Day every year.

ANNIVERSARY:

30th Anniversary for Chief Lou DeRosa of the Madison Fire Department on May 11th.

PROCLAMATIONS:

Mayor Conley presented a Proclamation recognizing National Nurses Week to Dr. Flo Rice and Marlene Dolan, BSN of the Madison Health Department.

Dr. Flo Rice thanked the Mayor and Council for their support and recognition of National Nurses Week. She also thanked Lisa Gulla, Health Officer, for all her new ideas and vibrant energy she has brought to the department.

Mayor Conley presented a Proclamation recognizing National Police Week to Chief Darren Dachisen and members of the Madison Police Department.

Police Chief Dachisen thanked the Mayor and Council for the proclamation and their support and recognition of the sacrifices police officers make everyday both here and around the world.

ADDITIONAL REMARKS:

Mayor Conley announced that Madison resident Meyra Green, a retired bank executive, recently received the Women as Agents of Change Award from the American Association of University Women of New Jersey.

REPORTS OF COMMITTEES

Health

Mrs. Vitale of the Committee made the following comments:

The Vaccine for Adults Program is now available from the Madison Health Department through the New Jersey Vaccine for Adults Program. This program allows the uninsured and under-insured to receive vaccines such as meningitis, hepatitis A and B. Anyone interested should contact the public health nurse for details. Mrs. Vitale reported that Lisa Gulla, Health Officer, has instituted two new employee wellness initiatives through the Madison Health Department. Hepatitis A and B and Tdap vaccination programs will be administered to all Public Works employees and Emergency Services Personnel. The second initiative is a 2013 educational series that will address skin cancer and prevention with a derma scan

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on site that can identify areas of concern that should be addressed by a physician. Madison High School Day of Service will be participating with the Board of Health and Health Department on two initiatives. On May 31 students will paint murals at the Civic Center as part of the beautification effort, as well as a hand washing program where high school students will teach elementary school students how to properly wash their hands after they have been trained by the staff from the Health Department. Mrs. Vitale also reported that the Health Department has begun their biannual census of unlicensed cats and dogs in the community. Mrs. Vitale reminded anyone who has not yet licensed their pet to please do so as soon as possible and notes that rabies vaccines must be good through October 31, 2013.

Utilities

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

Mrs. Tsukamoto reported that the Electric Department is conducting their annual inspections of underground manholes and vaults. They are also continuing their monitoring of the control issues at the James Park substation. Two new lamp posts are being installed at the west side of the train station to improve lighting and safety.

Public Works and Engineering

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

Mr. Catalanello reminded residents that twice a week garbage pickup will commence on May 20 and continue through September 14, 2013. A street by street listing is included in the Madison Recycling Newsletter. Newsletters are available in the Council Chamber, online and in the Clerk's office. Mr. Catalanello reminded residents that milling is scheduled to begin on Rosedale Avenue on Thursday, May 16, and paving will begin on Tuesday, May 21. The project should be completed by Thursday, May 23. Residents will be notified before milling begins and can contact the Borough Engineer, Bob Vogel, with further questions. Mr. Catalanello stated that he was approached by the rank and file in the Public Works Department and asked to arrange time at the next council meeting for a presentation on the work they do. Mr. Catalanello stated that he will submit an Agenda Recommendation for the next meeting.

Community Affairs

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

Mr. Landrigan reported that May Day was a great success. About 1,000 volunteers participated in the event and approximately 40 truckloads of mulch were spread throughout the town. Mr. Landrigan thanked all those who participated. Mr. Landrigan commented that part of May Day was funded by a Clean Community Grant and this year the Borough will receive approximately \$26,000 from the New Jersey Department of Environmental Protection. The Farmer's Market is scheduled to begin on June 6, 2013. The Rotary Club will hold a Rotary Family Festival on June 15 and 16 in the Realogy parking lot. The proceeds from this event will be used to continue support for families of Union Beach.

Public Safety

Ms. Baillie, Chair of the Committee, made the following comments:

Ms. Baillie reported that the Complete Streets Committee met on May 1, 2013. There was a discussion on the Samson Avenue reconstruction project regarding commercial property and how vehicles enter and exit onto Samson Avenue. The Police Department is looking into the committee's suggestions for street and sidewalk safety. Ms. Baillie also reported that a separate meeting is planned with residents to discuss other issues regarding the commercial property. The Borough is

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exploring all issues with the Health Officer, Zoning Officer and New Jersey Transit. Ms. Baillie also reported that the Open Space, Recreation and Historic Preservation Advisory Committee met last week to discuss a proposed Ordinance that would require quarterly reporting to the Council beginning in July. The Committee has been working on an open space fund request form to be used for processing grant requests. This procedure will assure that the committee has all the pertinent information needed for funding requests in order to advise the Council. Ms. Baillie reported that during the month of April the Fire Department responded to 95 calls, including 42 medical calls, 20 general alarms and 14 still alarms and 19 investigations. The Fire department also inspected 30 single and two family homes for resale to insure smoke detector and CO compliance, as well as 77 fire prevention inspections. Ms. Baillie commented that The Morris County Historic Preservation Committee inspected the Ahrens-Fox, Model P-4 known as Geraldine as part of a grant application. Ms. Baillie noted that the 30th Annual Project Community Pride breakfast is this Friday, May 17, at the Madison Hotel. The price is \$50.00 per person and should be made payable to Project Community Pride, 28 Walnut Street in Madison.

Finance and Borough Clerk

Mr. Wolkowitz, Chair of the Committee, made the following comments: Mr. Wolkowitz reported that the Borough of Madison has received a report from Standard and Poors. Mr. Wolkowitz stated that the report was not very different from previous reports. Mr. Wolkowitz commented that Standard and Poors did affirm the Borough of Madison's AAA rating but they did continue reporting a negative outlook. Mr. Wolkowitz read the outlook report as follows: "The negative outlook reflects Standard and Poors opinion of the Borough's weakened finances and recent history of operating deficits through fiscal year 2010. However, in fiscal years 2011 and 2012 the Borough took significant steps toward restoring structural balance in the current fund. If the Borough should maintain balanced current fund operations and very strong reserves, we could revise the outlook back to stable within the two year outlook horizon." Mr. Wolkowitz further stated that the text of the memorandum is pretty much the same. Mr. Wolkowitz also reported that the Borough should soon receive audited financials for 2012. In August of this year the Borough will be issuing bonds to pay for the 49 acres and a portion of the fields and, at that point, Standard and Poors will issue another report. Mr. Wolkowitz announced that the period for filing property tax appeals has ended. There is a meeting scheduled for next week with Certified Valuations and he hopes to have more information to share at the next meeting.

Mayor Conley made the following comments:

Mayor Conley thanked all the volunteers who worked to make May Day a great success. Mayor Conley also reminded residents that the annual Madison High School varsity baseball game, in recognition of the seniors, that was rained out this past weekend, is rescheduled for this Friday, May 17 at Dodge Field.

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

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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 the Council to send letters to the restaurant owners in town to let them know they are responsible for alcohol consumption in their restaurant even though they may not have a liquor license. Mr. Cerciello also asked about R 174-2013 and 49 Main Street LLC.

AGENDA DISCUSSIONS

05/13/2013-1 MADISON ATHLETIC FOUNDATION (MAF) FUNDRAISING

Resolution R 162-2013 is removed from the Consent Agenda and will be added to the May 29, 2013 Agenda.

05/13/2013-2 AMEND ORDINANCE 8-2013, PROHIBITING ALCOHOLIC BEVERAGES BY UNDERAGE PERSONS ON PRIVATE PROPERTY

Mrs. Vitale notes two sections proposed for amendment. Mrs. Vitale noted that the Municipal Judge has the discretion to waive any fines imposed for underage consumption of alcohol for students enrolled in an educational institution. The proposed ordinance also includes a Good Samaritan clause. Mrs. Vitale announced that Governor Christie recently passed a Good Samaritan bill in regards to drug abuse reporting. Mrs. Tsukamoto asked if Judge Troxell reviewed this ordinance. Mrs. Vitale responded that both the prosecutor and Judge Troxell have reviewed the proposed ordinance.

Ordinance 16-2013 is listed for Introduction

05/13/2013-3 GREEN AVENUE RECONSTRUCTION UPDATE

Borough Engineer, Bob Vogel updated the Council on the Green Avenue reconstruction project and notes that a grant in the amount of \$230,000.00 was received from the NJ Department of Transportation. Mr. Vogel noted that the project includes sidewalk, curbing, drainage improvements and slight narrowing of the entire length of the road. Mr. Vogel notes that this project should extend the life of the pavement and improve erosion.

Ordinance 18-2013 is listed for Introduction

05/13/2013-4 APPROPRIATE \$42,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR RECONSTRUCTION OF THE CIVIC CENTER PARKING LOT

Mr. Codey reported on the condition of the parking lot at the Madison Civic Center for Superintendent of Public Works David Maines. Mr. Codey noted that this project should be added to the 2013 capital improvements list. The project will include paving, restriping and signage to move senior's parking closer to the building and increase the number of handicapped spots. Mrs. Tsukamoto asked if there was a way to increase the number of spaces. Mr. Codey stated that a firm will be hired to lay out the lot.

Ordinance 17-2013 is listed for Introduction

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05/13/2013-5 APPROPRIATE \$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR REPLACEMENT OF BREATHING AIR COMPRESSOR AND CASCADE CYLINDERS

Fire Chief Lou DeRosa requested appropriation of \$40,000.00 for the purchase of new breathing air compressor and cascade cylinders. There was agreement to list an ordinance for introduction.

Ordinance 19-2013 is listed for Introduction

05/13/2013-6 APPROPRIATE \$11,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF FOUR (4) SETS OF FIREFIGHTER TURNOUT GEAR

Fire Chief Lou DeRosa requested appropriation of \$11,000.00 for the purchase of four (4) new sets of firefighter turnout gear. There was no objection to listing an ordinance for introduction.

Ordinance 20-2013 is listed for Introduction

05/13/2013-7 APPROPRIATE \$8,000.00 FROM THE FIRE TRUST FUND FOR RADIO CONSULTANT

Fire Chief Lou DeRosa requested approval of \$8,000.00 for the hiring of a radio consultant. There was agreement to list an ordinance for introduction.

Ordinance 21-2013 is listed for Introduction

ADVERTISED HEARINGS

The Deputy Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on April 22, 2013, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinances for second reading and asked the Deputy Clerk to read said ordinances by title:

ORDINANCE 13-2013

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$70,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A UTILITY TRUCK AND ACCESSORIES

Mayor Conley opened up the public hearing on Ordinance 13-2013. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 13-2013, which the Deputy Borough Clerk read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

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Mayor Conley declared Ordinance 13-2013 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

ORDINANCE 14-2013

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$50,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A POLICE DEPARTMENT VEHICLE AND ACCESSORIES

Mayor Conley opened up the public hearing on Ordinance 14-2013. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 14-2013, which the Deputy Borough Clerk read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

Mayor Conley declared Ordinance 14-2013 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

ORDINANCE 15-2013

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 25 OF THE BOROUGH CODE ENTITLED "OPEN SPACE, RECREATION AND HISTORIC PRESERVATION COMMITTEE" TO SPECIFY REPORTING REQUIREMENTS TO THE GOVERNING BODY

Mayor Conley opened up the public hearing on Ordinance 15-2013.

Pat Rowe, Pine Avenue, thanked the Council for putting this item on the Agenda. Mr. Rowe feels that going forward quarterly reporting is a good way to inform the Mayor and Council how money is being spent. Mr. Rowe would also like to see a report accounting for the money that has come in to the Borough for open space tax for the past ten years. He asked for clarification as to the responsibilities of the Committee versus the responsibilities of the Borough. Borough Attorney, Mr. Giacobbe provided an explanation. Mr. Rowe also requested that a full copy, including the body of the ordinance, be published prior to the meeting for those who can't make it to the meetings.

Ms. Baillie moved that Ordinance 15-2013, which the Deputy Borough Clerk read by title, be finally adopted. Mr. Wolkowitz seconded the motion. Mrs. Tsukamoto commented that the Open Space committee is an advisory committee with appointed volunteers. Its responsibility is to make recommendations to the Mayor and Council on acquisition and preservation projects for open space, active and passive recreation, and historic purposes. The committee does not have project oversight, budget management and fiduciary responsibility of the Open Space trust fund. Therefore, I believe that the Administration, along with department heads and the CFO, should be held accountable for providing the Governing Body, the

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committee and the public with these reports. Not the other way around. We should not be singling out this committee and pass on the project oversight, budget and financial reporting responsibilities to this group of volunteers. Policy change should be made across the board for all committees, not just this one.

Following Council discussion, the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 15-2013 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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.

Pat Rowe, Pine Avenue, asked the Mayor for an update on the proposed helipad at the Jet's facility in Florham Park. Borough Attorney, Matthew Giacobbe, explained that the Borough cannot oppose the helipad because of an Agreement that was signed at the time of the land swap that precludes the Borough from challenging any applications before the Florham Park Planning Board. Mr. Rowe stated he would remove the names of Council Members who signed the petition.

Frank Merckx, Loantaka Way, thanked the Mayor and Council for the amendments to Ordinance 16-2013.

Sam Cerciello, Park Avenue, suggested that Public Works power wash the garbage cans in the center of town, as well as the NJ Transit Wall on Kings Road. Mr. Cerciello also asked that a letter be written to the garbage company asking that cans be put back gently. Mr. Cerciello requested that the Mayor and Council contact the post office due to the poor condition of the building. He asked if anything is being done about the newspaper receptacles in town and he also stated his concerns regarding traffic congestion due to the new location of the Farmer's Market.

INTRODUCTION OF ORDINANCES

The Deputy Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of May 29, 2013 in the 2nd 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.

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

ORDINANCE 16-2013

ORDINANCE OF THE BOROUGH OF MADISON AMENDING AND SUPPLEMENTING CHAPTER 233 OF THE BOROUGH CODE ENTITLED “ORDINANCE PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES BY UNDERAGE PERSONS ON PRIVATE PROPERTY”

WHEREAS, Ordinance 8-2013, adopted April 22, 2013, prohibited the possession or consumption of alcoholic beverages by underage persons on private property with certain exceptions; and

WHEREAS, the governing body wishes to amend and supplement the language therein.

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 233 of the Borough Code be amended and supplemented as follows:

NEW SECTION:

E(i) – The Municipal Judge shall have the discretion to waive the penalty provisions of Sections A, B and C above if the defendant is enrolled in an educational institution that has imposed administrative sanctions and penalties against the defendant for the offense(s).

NEW SECTION:

F(3) An underage person and one or two other persons, if applicable, shall be immune from prosecution under this Chapter prohibiting any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property if:

(a) one of the underage persons called 9-1-1 and reported that another underage person was in need of medical assistance due to alcohol consumption;

(b) the underage person who called 9-1-1 and, if applicable, one or two other persons acting in concert with the underage person who called 9-1-1, provided each of their names to the 9-1-1 operator;

(c) the underage person was the first person to make the 9-1-1 report; and

(d) the underage person and, if applicable, one or two other persons acting in concert with the underage person who made the 9-1-1 call, remained on the scene with the person under the legal age in need of medical assistance until assistance arrived and

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cooperated with medical assistance and law enforcement personnel on the scene.

- (4) The underage person who received medical assistance as provided in subsection 3 of this section shall also be immune from prosecution under this Chapter prohibiting the possession or consumption of an alcoholic beverage on private property.

SECTION 2. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistency.

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with law.

Mrs. Vitale moved that Ordinance 16-2013, which the Deputy Borough Clerk read by title, be adopted. Mrs. Tsukamoto seconded the motion. Following Council discussion, the motion passed with the following roll call vote recorded:

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

Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

ORDINANCE 17-2013

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$42,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
RECONSTRUCTION OF CIVIC CENTER PARKING LOT**

WHEREAS, the Department of Public Works Superintendent has recommended that the Borough appropriate \$42,000.00 from the General Capital Improvement Fund to repair the Civic Center parking lot including drainage, striping, signage, curbing and concrete work; 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 \$42,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$42,000.00 from the General Capital Improvement Fund to repair the Civic Center parking lot including drainage, striping, signage, curbing and concrete work; 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:

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SECTION 1: The amount of \$42,000.00 is hereby appropriated from the General Capital Improvement Fund to repair the Civic Center parking lot including drainage, striping, signage, curbing and concrete work.

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. Catalenello moved that Ordinance 17-2013, which the Deputy Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Mr. Catalenello, Mr. Landrigan.

Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

ORDINANCE 18-2013

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$630,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR RECONSTRUCTION OF GREEN AVENUE (WOODLAND TO SHUNPIKE)

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$630,000.00 from the General Capital Improvement Fund for reconstruction of Green Avenue from Woodland Road to Shunpike Road; and

WHEREAS, a grant from the New Jersey Department of Transportation Department (NJDOT) will reimburse \$230,000.00 of the above funds to the Borough; 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 \$630,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$630,000.00 from the General Capital Improvement Fund for reconstruction of Green Avenue from Woodland Road to Shunpike Road; 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 \$630,000.00 is hereby appropriated from the General Capital Improvement Fund for reconstruction of Green Avenue from Woodland Road to Shunpike Road.

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.

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Mr. Catalanello moved that Ordinance 18-2013, which the Deputy Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 19-2013

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$40,000.00 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR
REPLACEMENT OF BREATHING AIR COMPRESSOR AND CASCADE
CYLINDERS

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$40,000.00 from the General Capital Improvement Fund for the replacement of a breathing air compressor and cascade cylinders; 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 \$40,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$40,000.00 from the General Capital Improvement Fund for the replacement of a breathing air compressor and cascade cylinders; 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 \$40,000.00 is hereby appropriated from the General Capital Improvement Fund for the replacement of a breathing air compressor and cascade cylinders.

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.

Ms. Baillie moved that Ordinance -19-2013, which the Deputy Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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ORDINANCE 20-2013

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$11,000.00 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF FOUR (4) NEW SETS OF FIREFIGHTER TURNOUT GEAR

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$11,000.00 from the General Capital Improvement Fund for the purchase of four (4) new sets of firefighter turnout gear; 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 \$11,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$11,000.00 from the General Capital Improvement Fund for the purchase of four (4) new sets of firefighter turnout gear; 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 \$11,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of four (4) new sets of firefighter turnout gear.

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.

Ms. Baillie moved that Ordinance 20-2013, which the Deputy Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

ORDINANCE 21-2013

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$8,000.00 FROM THE FIRE TRUST FUND FOR A RADIO CONSULTANT

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$8,000.00 from the Fire Trust Fund to hire a radio consultant to research the availability of UHF frequencies; and

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WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Fire Trust Fund in an amount not to exceed \$8,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$8,000.00 from the Fire Trust Fund to hire a radio consultant to research the availability of UHF frequencies; 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 \$8,000.00 is hereby appropriated from the Fire Trust Fund to hire a radio consultant to research the availability of UHF frequencies.

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.

Ms. Baillie moved that Ordinance 21-2013, which the Deputy Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

ORDINANCE 22-2013
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 amended in order to identify certain non-union part-time positions and to change salary ranges for non-union, part-time employees, as follows:

POSITION	MINIMUM	MAXIMUM
Electrical Subcode	\$24,500.00/yr	\$41,880.00/yr

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Official/Electrical Inspector		
Plumbing Subcode	\$24,500.00/yr	\$41,880.00/yr
Official/Plumbing Inspector		
Recreation Director	\$15/hr	\$26.00/hr

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

Mr. Wolkowitz moved that Ordinance 22-2013, which the Deputy Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. Following Council discussion, the motion passed with the following roll call vote recorded:

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

CONSENT AGENDA RESOLUTIONS

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

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

R 158-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A CONTRACT FOR SHARED SERVICES WITH THE BOROUGH OF CHATHAM TO PROVIDE INFORMATION TECHNOLOGY SERVICES

WHEREAS, the Borough of Chatham and the Borough of Madison have agreed to enter into a Shared Services agreement for the provision of Information Technology Support Services, wherein Madison will provide the Borough of Chatham with up to six (6) hours of IT Support Services per day, subject to existing work load obligations, not to exceed twenty (20) hours per month, nor 250 hours annually at an hourly rate of \$66.00, for a total amount not to exceed \$16,500.00; and

WHEREAS, the Madison Borough Council has reviewed the proposed agreement.

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

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Borough Clerk are authorized to enter into a Shared Services agreement with the Borough of Chatham for the provision of Information Technology Support Services, such agreement to be in a form approved by the Madison Borough Attorney.

R 159-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A CONTRACT FOR SHARED SERVICES WITH THE TOWNSHIP OF BERKLEY HEIGHTS TO PROVIDE INFORMATION TECHNOLOGY SERVICES

WHEREAS, the Township of Berkeley Heights and the Borough of Madison have agreed to enter into a Shared Services agreement for the provision of Information Technology Support Services, wherein Madison will provide the Township of Berkeley Heights with up to six (6) hours of IT Support Services per day, subject to existing work load obligations, not to exceed twenty (20) hours per month, nor 250 hours annually, at an hourly rate of \$66.00, for a total amount not to exceed \$16,500.00; and

WHEREAS, the Madison Borough Council has reviewed the proposed agreement.

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 authorized to enter into a Shared Services agreement with the Township of Berkeley Heights for the provision of Information Technology Support Services, such agreement to be in a form approved by the Madison Borough Attorney.

R 160-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AND RATIFYING THE AWARD OF NON-FAIR AND OPEN CONTRACT FOR THE POSITION OF BOROUGH PROSECUTOR FOR 2013

WHEREAS, the Borough of Madison has a need to obtain the Professional Services of Michael V Cresitello, Jr., Esq., Prosecutor for the Township of Chatham in the Joint Municipal Court, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of the contract is May 14, 2013 through December 31, 2013 and may be extended or reduced as recommended by the Joint Court Committee and approved by this governing body; and

WHEREAS, said Professional Services provider has submitted a proposal indicating a willingness to provide the services for an annual fee not to exceed \$10,000.00 plus a litigation rate of \$90.00 per hour as described in the contract; and

WHEREAS, said Professional Services provider will complete and submit a

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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 or Township of Chatham, 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 for said contract in the 2013 Joint Court 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 for the professional services of Michael V Cresitello, Jr., Esq., as Prosecutor for the Township of Chatham in the Joint Municipal Court, 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 161-2013 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JIM KLING AS SUBSTITUTE PART TIME SENIOR CITIZEN VAN DRIVER

WHEREAS, the Senior Citizen Services Coordinator has recommended the appointment of Jim Kling to the position of substitute part-time Senior Citizen Van Driver, contingent upon a satisfactory background check being received; and

WHEREAS, the Senior Citizen Services Coordinator has certified that Jim Kling was determined to be the most qualified for the position; and

WHEREAS, the Chief Financial Offer has certified that funds are available in Account 393, Subaccount 130, in the 2013 municipal budget for this purpose.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that contingent upon a satisfactory background check being received, Jim Kling is hereby appointed to the position of substitute part-time Senior Citizen Van Driver, effective on an as needed basis.

BE IT FURTHER RESOLVED, that Jim Kling shall be compensated at a salary in the amount of \$15.00 per hour for up to 24 hours per week, as needed.

R 162-2013 ITEM REMOVED FROM THE AGENDA AND THE NUMBER RETIRED

R 163-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE SHAKESPEARE THEATRE OF NEW JERSEY, INC. TO CONDUCT AN OFF-PREMISE MERCHANDISE RAFFLE ON SUNDAY, DECEMBER 29, 2013

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. 274-5-32247 to The Shakespeare Theatre Of New Jersey, Inc.; 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 The Shakespeare Theatre Of New Jersey, Inc. to conduct an Off-Premise Merchandise Raffles Game on Sunday, December 29, 2013 at the F. M. Kirby Shakespeare Theatre, 36 Madison Avenue, 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. 1277, to be held as listed above, be and the same is hereby approved.

R 164-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE ARTS COUNCIL OF THE MORRIS AREA A/N MORRIS ARTS TO CONDUCT AN ON-PREMISE 50/50 RAFFLE ON SUNDAY, JUNE 23, 2013

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

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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. 274-5-34612 to The Arts Council of the Morris Area A/N Morris Arts; 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 The Arts Council Of The Morris Area A/N Morris Arts to conduct an On-Premise 50/50 Raffles Game on Sunday, June 23, 2013 at Giralda Farms, 1 Madison Avenue, 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. 1278, to be held as listed above, be and the same is hereby approved.

R 165-2013 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN CHRISTOPHER RENTKO TO A SUMMER INTERN POSITION IN THE ENGINEERING DEPARTMENT

WHEREAS, the Borough Engineer has recommended the appointment of Christopher Rentko as part-time employee/ Summer Intern in the Engineering Department; and

WHEREAS, the Borough Council agrees with this recommendation, and the Chief Financial Officer has certified funds for this purpose are contained in the 2013 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 contingent upon a satisfactory background check being received, the appointment of Christopher Rentko as part-time employee/ Summer Intern in the Engineering Department effective June 3, 2013, at the rate of pay of \$9.00 per hour is hereby approved.

R 166-2013 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN MELANIE GREENE TO A SUMMER INTERN POSITION IN THE BUILDING CONSTRUCTION OFFICE

WHEREAS, the Borough Engineer has recommended the appointment of Melanie Greene as part-time employee/ Summer Intern in the Building Construction Office; and

WHEREAS, the Borough Council agrees with this recommendation, and the Chief Financial Officer has certified funds for this purpose are contained in the 2013 municipal budget.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that contingent upon a satisfactory background check being received, the appointment of Melanie Greene as part-time employee/ Summer Intern in the Building Construction Office effective June 3, 2013, at the rate of pay of \$9.00 per hour is hereby approved.

R 167-2013 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING CONTRACT TO JOHN GARCIA CONSTRUCTION IN THE AMOUNT
OF \$558,315.25 FOR THE 2013 WATER MAIN REPLACEMENT PROJECT

WHEREAS, the Borough of Madison publicly advertised for bids for the 2013 Water Main Replacement project (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the lowest qualified bid was submitted by John Garcia Construction Co., Inc., of Clifton, New Jersey in the amount of \$558,315.25; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the contract to John Garcia Construction Co., Inc. in the amount of \$558,315.25; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$558,315.25 for this purpose which funds were appropriated by Ordinance 5-2013.

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

1. The contract for the 2013 Water Main Replacement project is hereby awarded to John Garcia Construction, Co., Inc. based upon its bid in the amount of \$558,315.25.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with John Garcia Construction, Co., Inc. in a form acceptable to the Borough Attorney.

R 168-2023 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING
APPOINTMENTS OF INTERNS SEAN BRADLEY, COLIN DUNNE, MICHAEL
FINELLI AND MICHAEL ZUZZARO TO THE SUMMER INTERN POSITIONS IN
THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Superintendent of Public Works has recommended appointment of Sean Bradley, Colin Dunne, Michael Finelli and Michael Zuzzaro as Summer Interns in the Public Works Department; and

WHEREAS, the Borough Council agrees with these recommendations.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that contingent upon a satisfactory background check being received, Sean Bradley, Colin Dunne, Michael Finelli and Michael Zuzzaro are hereby appointed to the position of Summer Interns in the Public Works Department effective May 14, 2013 at the rate of pay of \$9.00 per hour.

R 169-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AWARD OF CONTRACT TO JUPITER ENVIRONMENTAL SERVICES, INC. FOR AN ABATEMENT PROJECT AT THE HARTLEY DODGE MEMORIAL BUILDING UNDER STATE CONTRACT NUMBER T/2459 AND #79142

WHEREAS, the Borough of Madison is in need of environmental services for an asbestos abatement project in the boiler room of the Hartley Dodge Memorial from an authorized vendor under State Contract #T/2459 and #79142; and

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

WHEREAS, Jupiter Environmental, Inc. has been awarded New Jersey State contract # T/2459 and #79142; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$98,910.00 for this purpose in the General Capital Improvement Ordinance 58-2008.

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 award of a contract to Jupiter Environmental Services, Inc. for an asbestos abatement project in the boiler room of the Hartley Dodge Memorial is hereby approved under the New Jersey State contract #T/2459 and #79142.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a Purchase Order to and contract with Juniper Environmental Services, Inc. for the asbestos abatement project in the boiler room of the Hartley Dodge Memorial at a total price not to exceed \$98,910.00 in a form acceptable to the Borough Attorney.

R 170-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EAGLE SCOUT PROJECT – PEDESTRIAN TRAIL

WHEREAS, Noah Gertler, a member of Boy Scout of America Troop 25 located in Madison, has offered to volunteer services to establish a pedestrian trail

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between Pomeroy Road and the Madison Public Library in support of his Eagle Scout project; and

WHEREAS, the Council wishes to approve such request.

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 a pedestrian trail between Pomeroy Road and the Madison Public Library as described herein by Noah Gertler is hereby approved, subject to any requirements of the Borough Engineer and any governmental approvals required.

BE IT FURTHER RESOLVED that prior to commencing any work, Noah Gertler shall notify the Borough Engineer and Superintendent of Public Works of the anticipated date of commencement.

R 171-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR AMERICAN ASSOCIATION OF UNIVERSITY WOMEN (AAUW)

WHEREAS, the American Association of University Women of Madison (AAUW) has requested permission to put up temporary signs advertising a Book Fair on June 10-16, 2013, at Drew University's Ehinger Center; and

WHEREAS, up to ten (10) signs would be posted commencing on June 3, 2013 and removed by June 17, 2013; and

WHEREAS, the Assistant Borough Administrator has recommended that temporary sign regulations be waived to permit said activity.

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 request of the American Association of University Women of Madison (AAUW) to put up temporary signs as described herein from June 3, 2013 to June 17, 2013, is approved.

R 172-2013 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN JOYCE WU TO A SUMMER INTERN POSITION IN THE ADMINISTRATION AND BOROUGH CLERK DEPARTMENTS

WHEREAS, the Assistant Borough Administrator has recommended the appointment of Joyce Wu as part-time employee/ Summer Intern in the Administration and Borough Clerk Departments; and

WHEREAS, the Borough Council agrees with this recommendation, and the Chief Financial Officer has certified funds for this purpose are contained in the 2013 municipal budget.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that contingent upon a satisfactory background check being received, the appointment of Joyce Wu as part-time employee/ Summer Intern in the Administration and Borough Clerk Departments effective May 14, 2013, at the rate of pay of \$9.00 per hour is hereby approved.

R 173-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING INSTALLATION OF A PLAQUE AT THE MADISON RECREATION CENTER IN HONOR OF COUNCIL MEMBER DONALD LINKS

WHEREAS, the Borough Administrator has recommended a plaque be placed at the Madison Recreation Center complex commemorating the service of Council Member Donald Links to the Borough of Madison and his determination to bring about the installation of synthetic turf playing fields; and

WHEREAS, the Council commends and endorses the placement of the plaque.

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 placement of a plaque at the Madison Recreation Center complex commemorating the service of Council Member Donald Links to the Borough of Madison and his determination to bring about the installation of synthetic turf playing fields.

R 174-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ENTER INTO A SETTLEMENT AGREEMENT WITH 49 MAIN, LLC F/K/A PARAMOUNT PROPERTIES, ET AL

WHEREAS, the Borough of Madison has previously filed a Complaint with prejudice against all parties, 49 Main, LLC f/k/a Paramount Properties et al, regarding fire code violations; and

WHEREAS, the parties have engaged in settlement discussions, and the Parties have reached an agreement with respect to the matters in dispute between them and to settle the claims in the Litigation; and

WHEREAS, the parties have agreed to settle all pending lawsuits and claims by way of this Settlement.

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

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Clerk be authorized to execute a claim settlement agreement in a form approved by the Borough Attorney.

R 175-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE ROTARY CLUB OF MADISON FOR CARNIVAL GAMES AT THE ROTARY FAMILY FESTIVAL, JUNE 15 & 16, 2013

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 for Carnival Games as noted on the attached list, to be held as noted below , be and the same is hereby approved:

ROTARY CLUB OF MADISON
I.D. No. 274-8-20538
R.A. No. 1279 – Fourteen (14) Carnival Games
June 15-16, 2013

R 176-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE AUXILIARY OF THE MADISON VOLUNTEER AMBULANCE CORP

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

AUXILIARY OF THE MADISON VOLUNTEER AMBULANCE CORP.
I.D. No. 275-10-10817
R.A. No. 1280 – Off premise
November 18, 2013

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mrs. Vitale seconded by Mrs. Tsukamoto 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	\$33,723.97
Health & Public Assistance	2,934.55
Public Works & Engineering	196,941.16
Community Affairs	1,676.66
Finance & Borough Clerk	2,624,035.23
Utilities	<u>113,451.44</u>
Total	<u>\$2,972,763.01</u>

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

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

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:48 p.m.

Respectfully submitted,

Patricia Macaluso for Elizabeth Osborne
Borough Clerk
Approved July 22, 2013 (EO)