

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

**May 28, 2014 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 28th day of May, 2014. Mayor Conley called the meeting to order at 6:00 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 May 23, 2014. This Notice was made available to members of the general public.”

**ROLL CALL**

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

Mayor Robert H. Conley

Council Members:

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

Also Present:

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

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**READING OF CLOSED SESSION RESOLUTION**

Mr. Landrigan moved:

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

MINUTES FOR APPROVAL (1)

April 11, 2014

April 28, 2014

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

CONTRACT MATTERS (8)

GVRS PROPERTY UPDATE

AGREEMENT TO RESOLVE DIFFERENCES/TRAFFIC STUDY CONSULTANT

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DITSCHMAN/FLEMINGTON FORD  
NEW LIFE FELLOWSHIP  
EAST STREET PARKING LOT  
2014 AUDIT SERVICES  
HARDING TOWNSHIP SHARED SERVICES  
160 PARK AVENUE-ESTOPPEL CERTIFICATE  
Date of public disclosure 60 days after conclusion, if disclosure required.

PERSONNEL MATTERS (5)  
SUMMER INTERN – IT DEPARTMENT  
PART-TIME CLERK-CONSTRUCTION OFFICE  
FEDERATION UNION – CONTRACT RATIFICATION  
NON UNION FULL TIME EMPLOYEES-SALARY RESOLUTION  
NATURE NUTS PROGRAM  
Date of public disclosure 90 days after conclusion, if disclosure required.

LITIGATION MATTERS (1)  
JOINT MEETING – APPELLATE COURT RULING  
Date of public disclosure 60 days after conclusion, if disclosure required.

Seconded: Mr. Catalanello  
Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

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

**APPROVAL OF MINUTES**

Mr. Rowe moved approval of the **Regular Minutes of March 10, 2014**. Mr. Wolkowitz seconded the motion, which passed with the following roll call vote recorded:

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

Mr. Rowe moved approval of the **Executive Minutes of April 11, 2014**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Mr. Wolkowitz moved approval of the **Regular Meeting Minutes of April 11, 2014**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Mr. Rowe moved approval of the **Executive Minutes of April 28 2014**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

**GREETINGS TO PUBLIC**

Mayor Conley read the following proclamations:

**Proclamation  
of the  
Borough of Madison  
Proclaiming  
Bill Klepper Day  
May 25, 2014**

**WHEREAS**, on May 25, 2014 members of the Kings Road School Pack 226 Cub Scouts joined to hike up to Tripod Rock at Pyramid Mountain in Montville, New Jersey; and

**WHEREAS**, the wonder of scouting is kept alive by excursions such as this, keeping the scouts and their families in touch with the vast array of natural resources this great state has to offer; and

**WHEREAS**, Bill Klepper, the father of Ben Klepper a Boy Scout in Troop 7 and Sam Klepper a Cub Scout in Pack 226, and husband of Sandy Klepper, loving bride and mother, did through his own want and willpower, hike these trails to prove to himself and these scouts that where there is a will there is always a way; and

**WHEREAS**, the success of Bill Klepper should be a call to all Madison scouts, present and absent, and their families that perseverance, in any situation, cannot be accomplished without hope; and

**WHEREAS**, the leadership of tomorrow's dawn begins with these scouts here today as we all celebrate and commemorate the adventurous spirit embodied by all those present;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim May 25, 2014 as *Bill Klepper Day* in the Borough of Madison and here at Tripod Rock at Pyramid Mountain and recognize the contribution of Bill Klepper to the great cause of scouting and his determination to lead by example.

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Robert H. Conley, Mayor  
May 25, 2014

**Proclamation  
of the  
Borough of Madison  
Proclaiming  
Cora Jiggetts Day  
May 31, 2014**

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**WHEREAS**, Cora Jiggetts, the daughter of a slave, was born on May 31, 1906 in Chapel Hill, North Carolina and it was there she grew up and married her first husband Jesse Durham and had a son, Jesse, Jr.; and

**WHEREAS**, in 1930, five years before the Hartley Dodge Memorial was built, she came to live on Central Avenue in Madison to take care of her sister, Jessie; and

**WHEREAS**, she later moved to Park Avenue to a home, which originally had other tenants, one of whom, Deacon Stillman Jiggetts, became her second husband, and where she continues to live; and

**WHEREAS**, from the years 1946 to 1986, Mrs. Jiggetts worked for two Madison families, the Pilches and then the Kreitlers; and

**WHEREAS**, in addition to the Kreitlers' three children, Mrs. Jiggetts watched over their young neighbor, Bill Bigelow, who today, watches over Mrs. Jiggetts; and

**WHEREAS**, as a member of the First Baptist Church of Madison for 83 years, Cora Jiggetts, a deaconess, has been involved in many ministries; and

**WHEREAS**, the Church honored Mrs. Jiggetts in 1995 by renaming its Missionary Ministry the Cora Jiggetts Missionary Ministry and she has earned the title of "Church Mother"; and

**WHEREAS**, Cora Jiggetts is blessed to be a grandmother, a great-grandmother and a great-great-grandmother; and

**WHEREAS**, with assistance from the Kreitler and Bigelow families, the First Baptist Church Outreach and local health agencies, Cora Jiggetts has been able to maintain her independence and is an inspiration to so many;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby proclaim May 31, 2014 as *CORA JIGGETTS DAY* in honor of her 108<sup>th</sup> birthday celebration. Congratulations are extended to her on this special day with best wishes for many more years of health and happiness.

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Robert H. Conley, Mayor  
May 28, 2014

Mayor Conley called forth Eagle Scout members of Madison Boy Scout Troop 25 and presented the following proclamation:

**Proclamation  
of the  
Borough of Madison  
Presented to  
The Eagle Scouts of Boy Scout Troop 25**

**WHEREAS**, introduced in 1911, the Eagle Scout is the highest rank in the Boy Scouts of America; and

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**WHEREAS**, to achieve the rank of Eagle Scout, a scout must live by the principles of the Scout Oath and Scout Law, earn a total of 21 merit badges and demonstrate service and leadership, including an extensive service project; and

**WHEREAS**, nine scouts of Boy Scout Troop 25 have achieved the rank of Eagle Scout during the 2013-2014 school year by completing the following projects:

**WHEREAS**, Joseph Falco completed the installation of a trail dedicated to active and passive recreation and conservation at the Madison Recreation Center; and

**WHEREAS**, Noah Gertler cleared and created a trail from Pomeroy Road to the Library; and

**WHEREAS**, Chris Driscoll refurbished computer equipment and established a computer room for the residents at the non-profit, Family Promise; and

**WHEREAS**, Patrick Sheehy refurbished playground surroundings and equipment at New Life Church; and

**WHEREAS**, Jay Oh completed another project at New Life Church, removing shrubs and adding new plantings to the landscape around the property; and

**WHEREAS**, Jack Humphries developed the application, App for School Alert, to notify students of on-site emergency and exit plans; and

**WHEREAS**, Jack D'Addario cleared and created a trail at Summerhill Park; and

**WHEREAS**, Robbie D'Addario cleared and created a trail and refurbished picnic tables at Memorial Park; and

**WHEREAS**, Ryan Hoover added plantings around the grounds at Central Avenue School and painted games on the playground blacktop; and

**WHEREAS**, another scout in Troop 25, John Guiheen, completed his project constructing and placing birdhouses around the Borough and is scheduled to obtain the rank of Eagle Scout later this year upon completion of several merit badges;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby commend these Eagle Scouts for their efforts and dedication to these projects and express best wishes on achieving the rank of Eagle Scout.

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Robert H. Conley, Mayor  
May 28, 2014

***REPORTS OF COMMITTEES***

**Health**

Mr. Landrigan of the Committee made the following comments:

The Madison Health Department will be conducting Adult Health screening on Saturday, June 7<sup>th</sup> and on Monday June 9<sup>th</sup>; the Health Department will be conducting a men's cancer screening clinic. Please contact the Health Department for an appointment.

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### **Public Works and Engineering**

Mr. Catalanello, Chair of the Committee, made the following comments:  
The State Planning Division of NJDOT has sent a 21 day notice regarding the repaving of Madison Avenue State Highway 124 during evenings over the next month. Several utility and drainage improvement projects have been prioritized as a result of this announcement. The 2014 Road Improvement Program awarded to Cifelli & Son Construction commenced with drainage improvement work on Academy Road. Mr. Catalanello noted that a trails improvement project is being finalized by the Land Conservancy for the MRC complex according to the Master Plan work formalized last year. A National Trails Day event is being considered for June 7, 2014 to acknowledge volunteers and staff who are working on the trails projects.

### **Utilities**

Mrs. Vitale, Chair of the Committee, made the following comments:  
The Electric Utility staff completed pole transfers at the Kings Road substation and installed new poles on Highview Terrace. Mrs. Vitale thanked the members of the Patriotic Celebrations Committee for their work on the Memorial Day activities, noting members are a wonderful group of veterans.

### **Public Safety**

Ms. Baillie, Chair of the Committee, made the following comments:  
Ms. Baillie noted the dedication of the trails at the MRC, this Saturday, June 7<sup>th</sup> from 11:00 to 12:00 including a ribbon cutting ceremony. Saturday is also National Trails Day.

### **Finance and Borough Clerk**

Mr. Wolkowitz, Chair of the Committee, made the following comments:  
Mr. Wolkowitz reminded residents that this Tuesday, June 3<sup>rd</sup> is Primary Election Day. Polls will be open from 6:00 a.m. to 8:00 p.m., and Districts 2, 4, and 10 have new locations. The Employees Federation has settled a labor contract and the Electric Utility Rebate, will be discussed later in this meeting now includes all households with income of \$40,000.00 or less. Mr. Wolkowitz noted that the Audit Committee has received a draft of the 2013 municipal audit.

### **Community Affairs**

Mr. Rowe, Chair of the Committee, made the following comments:  
Students, volunteering for the Madison High School Day of Service will assist 18 senior households, mainly with yard work and the Summer Series co-sponsored by the Madison Library will hold its 30<sup>th</sup> season. The Farmers' Market is scheduled Thursdays through October 16<sup>th</sup> and the Buy Fresh/ Give Fresh program will continue every week during the 2014 season. Buy Fresh/Give Fresh is an initiative to bring farm fresh produce to soup kitchen recipients in Morris County. The Sidewalk Sounds program continues this summer with the twenty one week schedule already filled. Residents can enjoy live music every Thursday 6:30-8:00 through September. The DDC is moving forward with the Madison 125 festivities, including flags that have gone to print and should be up early June, plans are being made to integrate the 125th Anniversary celebration into the Sidewalk Banner Art Gala, and a program for the kids is being rolled out to the schools called "Flat Madison".

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

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E-mail received May 19, 2014 from Kate Gillan, Dean Street commending Officer Chad Rybka for his help with traffic safety on Dean Street

E-mail received May 28, 2014 from Michael Krishnan, Myrtle Avenue regarding the establishment of a dog park.

**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 clarification of proposed Ordinance 35-2014 and suggested that the Madison Board of Education move into the east wing of the Hartley Dodge Memorial, using funds from the sale of the former Green Village Road School property to renovate the space.

**AGENDA DISCUSSIONS**

**05/28/2014-2 GVRS PROPERTY REDEVELOPMENT**

Mayor Conley announced a major step forward in the redevelopment of the former Green Village Road School property noting the selection of KRE Madison NJ Urban Renewal LLC, as the redeveloper of 33 Green Village Road and authorizing execution of a redeveloper agreement and other documents. Mr. Codey explained resolutions to be considered this evening by the Borough Council.

**R 167-2014 RESOLUTION OF THE BOROUGH OF MADISON DESIGNATING KRE MADISON NJ URBAN RENEWAL LLC AS REDEVELOPER OF 33 GREEN VILLAGE ROAD AND AUTHORIZING EXECUTION OF A REDEVELOPER AGREEMENT AND OTHER DOCUMENTS**

**WHEREAS**, on prior occasions the Mayor and Council of the Borough of Madison have taken formal action (i) declaring the property at 33 Green Village Road (the “Property”) as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12-5* and (ii) adopting a Redevelopment Plan for the Property pursuant to *N.J.S.A. 40A:12-7*; and

**WHEREAS**, thereafter the Borough issued a Request for Proposals (the “RFP”) seeking proposals from potential redevelopers of the Property; and

**WHEREAS**, the KRE Group was one of the entities that submitted a proposal in response to the RFP; and

**WHEREAS**, Borough representatives have engaged in extensive discussions and negotiations with potential redevelopers and have concluded that it is in the best interest of the Borough to designate KRE Madison NJ Urban Renewal LLC (an affiliate of the KRE Group) as redeveloper of the Property to implement the Redevelopment Plan as the same is being amended by Ordinance on this date; and

**WHEREAS**, the Borough and KRE Madison NJ Urban Renewal LLC have agreed to terms of the Redeveloper Agreement in the form attached hereto.

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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Madison that:

1. KRE Madison NJ Urban Renewal LLC is hereby designated as a redeveloper of the property subject to full execution of the Redevelopment Agreement, and the Financial Agreement and Lease referenced therein.
2. The Mayor is hereby authorized to execute a Redeveloper Agreement with KRE Madison NJ Urban Renewal LLC substantially in the form attached hereto.
3. The Mayor and Borough Administrator are hereby authorized to take any and all other action needed to effectuate the purposes of this Resolution, including but not limited to the execution of (i) the Lease and (ii) the Contract of Sale with the Board of Education of the Borough of Madison (“BOE”) pursuant to which the title to the Property will be conveyed from the BOE to the Borough for simultaneous sale to KRE Madison NJ Urban Renewal LLC.

Mrs. Vitale moved adoption of Resolution R 167-2014. Mr. Landrigan seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

R 168-2014 RESOLUTION OF THE BOROUGH OF MADISON TRANSMITTING AMENDED GREEN VILLAGE ROAD REDEVELOPMENT PLAN TO THE PLANNING BOARD FOR REVIEW AND REPORT PURSUANT TO N.J.S.A. 40A:12A-7

WHEREAS, pursuant to Ordinance 32-2011, the Mayor and Council adopted a plan for redevelopment the “Green Village School Redevelopment Plan;” and

WHEREAS, the Borough’s Planner has proposed revisions to the Green Village School Redevelopment Plan by way of an amendment to the Green Village School Redevelopment Plan dated April 2014 (the “April 2014 Amended Green Village School Redevelopment Plan” or “Amended Plan”), which will supersede the aforementioned Green Village School Redevelopment Plan and which is incorporated by reference; and

WHEREAS, N.J.S.A. 40A:12A-7 provides that prior to adoption of a revision or amendment to a redevelopment plan, the Planning Board shall transmit to the governing body, within 45 days after referral thereto, a report containing its recommendation concerning the redevelopment plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, that pursuant to N.J.S.A. 40A:12A-7, the Borough Clerk be and hereby is authorized to transmit to the Madison Planning Board a copy of the proposed May 21, 2014 Amended Green Village School Redevelopment Plan for review and report thereon.

Mrs. Vitale moved adoption of Resolution R 168-2014. Mr. Landrigan seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Mr. Jeffrey Purdy and other Principals of the KRE Madison NJ Urban Renewal, LLC were present for a ceremonial signing of the Redevelopers' Agreement and financial agreement.

**05/28/2014-1 MADISON ATHLETIC FOUNDATION QUARTERLY FINANCIAL REPORT**

Mrs. Brenda Catalanello, Mr. Nino Coviello and Mr. Marty Horn, of the Madison Athletic Foundation provided a quarterly update of the organization fundraising, noting several new M-Club donors and the bi-annual 50/50 cash raffle. Mr. Coviello presented Mayor Conley with a ceremonial check in the amount of \$100,000.00.

**05/28/2014-3 ELECTRIC REBATE PROGRAM**

Mr. Wolkowitz announced the commencement of an electric utility assistance program, noting the application process will be managed through the Borough Clerk's office. Mr. Wolkowitz explained that residents with income at or below \$40,000.00 and enrolled in any of a number of State sponsored assistance programs are eligible for a \$100.00 rebate.

Resolution R 165-2014 is listed on the Consent Agenda.

**05/28/2014-4 AMENDING CHAPTER 94 OF THE BOROUGH CODE ENTITLED 'ELECTRIC UTILITY' TO AMEND APPENDIX B 'PAYMENT OF WATER AND ELECTRIC BILLS'**

Mrs. Vitale provided explanation of the recommendation to amend Chapter 94 of the Borough Code to provide for more structure regarding the process for shutting off electric and water utility accounts 90 days of more in arrears. Following discussion there was no objection to listing an ordinance at a future Council meeting.

**05/28/2014-5 APPROPRIATION OF \$150,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR SEWER LINING IMPROVEMENTS**

Borough Engineer Bob Vogel addressed the Council noting his recommendation to appropriate funds for sewer lining improvements. There was agreement to list an ordinance appropriating \$150,000.00 for sewer lining improvements.

Ordinance 33-2014 is listed for introduction.

**05/28/2014-6 APPROPRIATION OF \$75,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR EMERGENCY SEWER CONSTRUCTION AT MADISON AVENUE AND LOANTAKA TERRACE**

There was agreement to list an ordinance appropriating \$75,000.00 for emergency sewer construction, due to the lack of notice from the State regarding the repaving of Madison Avenue this summer.

Ordinance 34-2014 is listed for introduction.

**05/28/2014-7 APPROPRIATION OF \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR SIGNALIZATION IMPROVEMENTS**

Mr. Vogel noted several signalization improvement projects and requested funds. There was agreement to list an ordinance appropriating \$30,000.00 for signalization improvements.

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Ordinance 35-2014 is listed for introduction.

**05/28/2014-9** APPROPRIATION OF \$200,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR MILLING AND OVERLAY OF VARIOUS ROADS

There was no objection to listing an ordinance to appropriate \$200,000.00 for the milling and overlay of various roads.

Ordinance 36-2014 is listed for introduction.

*Mayor Conley and Ms. Baillie left the Council meeting at 9:55 p.m. Mr. Landrigan presided of the Council meeting.*

**05/28/2014-8** AMENDING ORDINANCE 34-2013 OF THE BOROUGH OF MADISON APPROPRIATING ADDITIONAL FUNDS FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR REPAIR OF THE EAST STREET PARKING LOT

Mr. Vogel explained the bids received for the East Street Parking lot reconstruction project were all over the budgeted amount and asked that \$20,000.00 be added to the appropriation to complete the project. There was no objection to Mr. Vogel's request.

Ordinance 32-2014 is listed for introduction.

*Mayor Conley and Ms. Baillie returned to the meeting at 10:00.*

**ADVERTISED HEARINGS**

The 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 May 12, 2014, 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 Clerk to read said ordinances by title:

**ORDINANCE 24-2014**

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 185 ENTITLED "VEHICLES AND TRAFFIC" OF THE BOROUGH CODE TO DELETE CERTAIN PARKING RESTRICTIONS ON GREEN AVENUE AT WOODLAND ROAD**

**WHEREAS**, the Chief of Police has recommended amending the parking restrictions on Green Avenue to remove the no-parking restriction on Green Avenue at the intersection of Woodland Road; and

**WHEREAS**, the Borough Council has determined that Chapter 185 of the Madison Borough Code entitled "Vehicles and Traffic" should be amended in order to implement this change.

**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: Section 185-31 of the Code of the Borough of Madison entitled “Schedule III: No Stopping or Standing”, is hereby amended to omit the following:

. . .

Name of Street	Side	Hours	Location
Green Avenue	East	All	From the northerly curbline of Woodland Road to a point 80 feet northerly therefrom
Green Avenue	East	All	From the southerly curbline of Woodland Road to a point 90 feet southerly therefrom
Green Avenue	West	All	From the northerly curbline of Woodland Road to a point 100 feet northerly therefrom
Green Avenue	West	All	From the southerly curbline of Woodland Road to a point 80 feet southerly therefrom

. . . .

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

Mayor Conley opened up the public hearing on Ordinance 24-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 24-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 24-2014 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 25-2014**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$33,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A RECORDS MANAGEMENT SYSTEM (RMS) AND COMPUTER ASSISTED DISPATCH (CAD) SYSTEM FOR THE POLICE DEPARTMENT**

WHEREAS, the Police Chief has recommended that the Borough appropriate \$33,000.00 from the General Capital Improvement Fund for the purchase of a RMS and CAD system for the Police Department; 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 \$33,000.00 for this purpose; and

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**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$33,000.00 from the General Capital Improvement Fund for the purchase of a RMS and CAD system for the Police Department.

**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 \$33,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a RMS and CAD system for the Police Department.

**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.

Mayor Conley opened up the public hearing on Ordinance 25-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 25-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 25-2014 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 26-2014**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A VEHICLE AND RELATED EQUIPMENT FOR THE POLICE DEPARTMENT**

**WHEREAS**, the Police Chief has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund for the purchase of a vehicle and equipment for the Police Department; 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 \$30,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund for the purchase of a vehicle and related equipment for the Police Department.

**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 \$30,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a vehicle and related equipment for the Police Department.

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.

Mayor Conley opened up the public hearing on Ordinance 26-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 26-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 26-2014 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 27-2014**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$6,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF VIDEO SURVEILLANCE EQUIPMENT FOR THE POLICE DEPARTMENT**

WHEREAS, the Police Chief has recommended that the Borough appropriate \$6,000.00 from the General Capital Improvement Fund for the purchase of video surveillance equipment for the Police Department; 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 \$6,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$6,000.00 from the General Capital Improvement Fund for the purchase of video surveillance equipment for the Police Department.

**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 \$6,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of video surveillance equipment for the Police Department.

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

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

Mayor Conley opened up the public hearing on Ordinance 27-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 27-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 27-2014 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 28-2014**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$2,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF PORTABLE SURVEILLANCE EQUIPMENT FOR THE POLICE DEPARTMENT**

WHEREAS, the Police Chief has recommended that the Borough appropriate \$2,000.00 from the General Capital Improvement Fund for the purchase of portable surveillance equipment for the Police Department; 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 \$2,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$2,000.00 from the General Capital Improvement Fund for the purchase of portable surveillance equipment for the Police Department.

**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 \$2,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of portable surveillance equipment for the Police Department.

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.

Mayor Conley opened up the public hearing on Ordinance 28-2014. Since no member of the public wished to be heard, the public hearing was closed.

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Ms. Baillie moved that Ordinance 28-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 28-2014 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 29-2014  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$60,000.00  
FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE  
OF NEW SUMP PUMPS FOR THE SEWER DEPARTMENT**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$60,000.00 from the General Capital Improvement Fund for the purchase of new sump pumps; 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 \$60,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$60,000.00 from the General Capital Improvement Fund for the purchase of new sump pumps.

**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 \$60,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of new sump pumps.

**SECTION 60:** 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.

Mayor Conley opened up the public hearing on Ordinance 29-2014. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 29-2014, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

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Mayor Conley declared Ordinance 29-2014 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 30-2014  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$40,000.00  
FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR SEWER PUMP  
STATION UPGRADES**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$40,000.00 from the General Capital Improvement Fund for sewer pump station upgrades; 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 sewer pump station upgrades.

**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 sewer pump station upgrades.

**SECTION 40:** 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.

Mayor Conley opened up the public hearing on Ordinance 30-2014. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 30-2014, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 30-2014 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 31-2014  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195,  
LAND DEVELOPMENT TO REVISE THE BOROUGH'S CONDITIONAL USE  
STANDARDS FOR DRIVE-THRU RESTAURANTS**

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**WHEREAS**, N.J.S.A. 40:48-1, et seq. authorizes local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

**WHEREAS**, the Borough of Madison by and through Chapter 195 of the Code of the Borough of Madison regulates land development including the conditional use standards for drive-through restaurants; and

**WHEREAS**, the Borough Planner has recommended amending Chapter 195 of the Borough Code, the Madison Land Development Ordinance, in regard to Conditional Uses; and

**WHEREAS**, the Mayor and Council of the Borough of Madison wish to amend Chapter 195 to revise the conditional use requirements for restaurants with drive-through windows; and

**WHEREAS**, the Mayor and Council of the Borough of Madison have determined that it would be in the best interest of the citizens of the Borough to revise the conditional use standards for restaurants with drive-through windows.

**NOW, THEREFORE BE IT ORDAINED** by the Governing Body of the Borough of Madison that Chapter 195 of the Code of the Borough of Madison entitled “Land Development” is hereby amended to provide as follows:

**Section 1.** Chapter 195, Section 33, Subsection (B) of the Code of the Borough of Madison shall be amended to provide as follows:

(5) Restaurants with drive-through windows. No building, structure or premises shall be used as a restaurant with drive-through window facilities unless in conformance with the following conditions:

(a) Such use shall be located on lots with street frontage of at least 100 feet.

(b) The minimum lot area shall be 20,000 square feet.

(c) No transaction window or speaker system shall be located closer than 60 feet to any property line of any residential use or any residential zone line.

(d) Such use shall comply with the standards of Chapter 217, Noise, of the Borough Code.

(e) Any transaction window shall be set back a minimum of forty feet from any property line.

(f) No drive-through window shall face any public right-of-way, nor shall any drive-through window be located within 50 feet of the street right-of-way line from which vehicles using the drive-through window will enter or exit.

(g) There shall be no more than two one-way access driveways serving the site. The minimum distance between the centerlines of such driveways shall be 125 feet. Driveways shall be one-way.

(h) Internal circulation shall be such that stacked vehicles for the drive-through window(s) shall not interfere with general vehicular circulation and parking

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or pedestrian circulation on the site. Drive-through window stacking lanes shall not be located in parking aisles, nor shall they, in any manner, interfere with vehicles entering or exiting the site or pedestrian circulation.

(i) The perimeter of the site shall be fenced and/or landscaped in a manner that will prevent litter from being blown across property lines and to effectively screen adjacent non-commercial properties on a year-round basis. Such screening shall consist of both a board-on-board fence and dense landscaping along any adjoining non-commercial property lines.

(j) Trash receptacles of an attractive design, consistent with Borough standards and without any advertising or branding, shall be maintained around outdoor eating areas, along pedestrian walkways and at points of egress from the site.

(k) Any outdoor eating areas shall be clearly delineated with curbing, shall be attractively landscaped, and shall be so located that patrons can walk directly from the building to the eating area without crossing a driveway or parking lot. Outdoor seats shall count toward the parking requirements for the establishment.

(l) Odor reduction devices shall be employed to minimize the effect of odor-production from cooking and frying activities. The Applicant shall demonstrate that proposed techniques shall keep the odors on site, to the maximum extent feasible.

(m) Signage shall be limited to one, non-internally illuminated building sign not exceeding 30 square feet and one, non-internally illuminated monument sign, not exceeding six feet in height (including base plus sign area) and 20 square feet in area.

(n) Site lighting shall be the minimum necessary to adequately light the building, outdoor seating area and parking lot with a fixture height (pole plus base) not exceeding 15 feet; only downward facing fixtures are permitted. Timers shall be required to turn off all non-security lighting after business closing.

(o) There shall be no parking in the front yard setback on any front yard. All front yards, with the exception of pedestrian access and other improvements, shall be fully planted with a mix of deciduous and coniferous trees, shrubs and ground cover.

(p) Any awning shall be canvas, with a maximum of six (6) square feet of signage area on awning valances.

(q) No drive-through or fast food restaurant shall be located within 500 feet of any elementary, middle, or high school.

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(r) On any lot adjoining within 250 feet of a residential use or district or within 250 feet of the Central Business District, the primary building material shall be masonry (stone or brick), wood, hardie plank, or some combination thereof.

**Section 2.** All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

**Section 3.** Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

**Section 4.** Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

**Section 5.** This Ordinance shall take effect upon final passage and publication as provided by law; however, subsequent to first reading, this Ordinance must be referred to the municipal Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance.

Mayor Conley opened up the public hearing on Ordinance 31-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 31-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passes with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 31-2014 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.**

***Nancy McManus, Midwood Terrace***, raised concern regarding the corner of Midwood Terrace and Prospect Road, used by drivers to avoid the traffic light and noted many drivers run the stop sign.

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**Tim Harrington, Cross Gates Road**, noted high electric utility rates and suggested increasing property taxes which can be deducted on income tax returns. Mr. Harrington also suggested the redevelopment of the former Green Village Road property needs to move quickly.

**INTRODUCTION OF ORDINANCES**

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of June 9, 2014 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 32-2014      ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING ORDINANCE 34-2013 APPROPRIATING \$100,000.00 FROM THE  
GENERAL CAPITAL IMPROVEMENT FUND FOR THE EAST STREET PARKING  
LOT TO INCREASE THE APPROPRIATION FROM \$100,000.00 TO \$120,000.00

**WHEREAS**, Ordinance 34-2013 of the Borough of Madison appropriated \$100,000.00 from the General Capital Improvement Fund to repair the East Street parking lot including drainage, striping, signage, curbing and concrete work; and

**WHEREAS**, the Borough Engineer has recommended that the Borough amend Ordinance 34-2013 to appropriate an additional \$20,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 34-2013 to \$120,000.00 to make repairs to the East Street parking lot; 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 \$120,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should amend Ordinance 34-2013 to appropriate an additional \$20,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 34-2013 to \$120,000.00 to make repairs to the East Street parking lot; and

**WHEREAS**, the Madison Area YMCA has agreed to reimburse eighty percent (80%) of the \$120,000.00 projected costs.

**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:** Ordinance 34-2013 is hereby amended to appropriate an additional \$20,000.00 from the General Capital Improvement Fund thereby

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increasing Ordinance 34-2013 to \$120,000.00 to make repairs to the East Street parking lot.

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

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

Mr. Catalanello moved that Ordinance 32-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 33-2014      ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$150,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR SEWER LINING IMPROVEMENTS

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$150,000.00 from the General Capital Improvement Fund for sewer lining improvements; 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 \$150,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$150,000.00 from the General Capital Improvement Fund for sewer lining improvements.

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 \$150,000.00 is hereby appropriated from the General Capital Improvement Fund for sewer lining improvements.

SECTION 40: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mr. Catalanello moved that Ordinance 33-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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ORDINANCE 34-2014 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$75,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR EMERGENT STORM SEWER CONSTRUCTION ON MADISON  
AVENUE BETWEEN LOANTAKA TERRACE AND VINAL PLACE

**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$75,000.00 from the General Capital Improvement Fund for emergent storm sewer construction on Madison Avenue between Loantaka Terrace and Vinal Place; 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 \$75,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$75,000.00 from the General Capital Improvement Fund for emergent storm sewer construction on Madison Avenue between Loantaka Terrace and Vinal Place.

**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 \$75,000.00 is hereby appropriated from the General Capital Improvement Fund for emergent storm sewer construction on Madison Avenue between Loantaka Terrace and Vinal Place.

**SECTION 40**: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mr. Catalanello moved that Ordinance 34-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 35-2014 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR SIGNALIZATION IMPROVEMENTS

**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund for signalization improvements; and

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**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 \$30,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund for signalization improvements.

**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 \$30,000.00 is hereby appropriated from the General Capital Improvement Fund for signalization improvements.

**SECTION 40:** The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mr. Catalanello moved that Ordinance 35-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

**ORDINANCE 36-2014 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$200,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR MILLING AND OVERLAY OF VARIOUS STREETS**

**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$200,000.00 from the General Capital Improvement Fund for milling and overlay of various Borough Streets, including Division Avenue, Union Hill Road, and a portion of Woodland Road and a portion of Prospect Street; 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 \$200,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$200,000.00 from the General Capital Improvement Fund for milling and overlay of various Borough Streets, including Division Avenue, Union Hill Road, and a portion of Woodland Road and a portion of Prospect Street.

**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 \$200,000.00 is hereby appropriated from the General Capital Improvement Fund for the milling and overlay of various Borough Streets.

SECTION 40: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mr. Catalanello moved that Ordinance 36-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 37-2014 AN ORDINANCE AUTHORIZING THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, NEW JERSEY TO ENTER INTO A FINANCIAL AGREEMENT WITH KRE MADISON NJ URBAN RENEWAL, LLC FOR PROPERTY AT 33 GREEN VILLAGE ROAD DESIGNATED AS BLOCK 3001, LOT 8

WHEREAS, the Mayor and Council of the Borough of Madison adopted a resolution designating the property at 33 Green Village Road Block 3001, Lot 8 (the “Property”) as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Redevelopment Area”); and

WHEREAS, thereafter the Mayor and Council adopted an Ordinance approving a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”) pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*; and

WHEREAS, KRE Madison NJ Urban Renewal, LLC (the “Entity”) proposes to construct 135 residential units, 7,500 sq. ft. of retail space and a 3,000 sq. ft. community center on the Property (hereinafter the “Project”); and

WHEREAS, the Entity wishes to have a long term tax exemption granted for the Project and has requested that the Borough grant such tax exemption; and

WHEREAS, on May 28, 2014, the Entity filed an Application with the Borough for approval of a long term tax exemption for the Improvements proposed for the Project as permitted by the Long Term Tax Exemption Law (*N.J.S.A. 40A 20-1, et seq.*) (the “LTTEL”); and

WHEREAS, the Borough is agreeable to granting a long term tax exemption for those Improvements; and

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WHEREAS, the provisions of the LTTEL, and such other statutes as may be sources of relevant authority, if any, authorize the Borough to accept, in lieu of real property taxes, an annual service charge paid by the Entity to the Borough as set forth in such laws; and

WHEREAS, the Borough made the following findings:

- (a) As to the relative benefits of the Project:
  - i. The Project will provide economic activity within the Redevelopment Area, create jobs and yield significant municipal revenue.
  - ii. The property is currently tax exempt while the Financial Agreement is expected to generate at least \$710,000.00 in annual service charges.
  - iii. The Project will convert underutilized property to productive residential and commercial use, in accordance with the Borough's redevelopment goals and objectives.
  - iv. The Borough will receive affordable housing funds of up to \$2,081,562.00 as the Project is built.
  - v. The Borough will have the use of a 3,000 sq. ft. community center and approximately 16,500 sq. ft. of outdoor open space as part of the Project.
  
- (b) As to the assessment of the importance of the tax exemption in obtaining development of the Project and influencing the locational decisions of probable occupants:
  - i. In the current real estate marketplace, the rents likely to be achieved by this Project are not sufficient to pay for the costs of land and construction and the payment of full taxes while allowing the developer the opportunity to make a return on its investment that is sufficient to both warrant the risks and to convince the lending markets to provide the construction and permanent financing required by the Project.
  - ii. The Borough believes that amounts to be paid under the terms of the Financial Agreement are greater than the incremental costs to be incurred by the Borough as a result of the project, and believes that it is in its interest to provide the necessary incentive that will cause the project to be constructed. Because the formulas used in the Financial Agreement will provide for growth in the amounts to be paid over time, the Borough expects the Project will continue to make payments

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that are greater than the costs to be incurred. Finally, the useful life of the Project is expected to be substantially longer than the term of the Financial Agreement, so that in the future the Project will become fully taxable and remain part of the Borough's ratable base for many years thereafter; and

WHEREAS, the Mayor and Council have approved the Application, subject to such conditions as may be indicated herein, and have determined the amount of the Annual Service Charge, and have authorized the execution of the attached Financial Agreement; and

WHEREAS, Borough and the Entity wish to enter into this Financial Agreement to memorialize the terms and conditions by which the Entity will pay an Annual Service Charge (as defined therein) in lieu of real property taxes on the Project Improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MADISON, MORRIS COUNTY, NEW JERSEY that:

1. The recitals above are fully incorporated herein.
2. The application of the Entity is hereby accepted and approved subject to the modifications as set forth in the attached Financial Agreement.
3. The Mayor is hereby authorized and directed, subject to the satisfaction of all legal requirements and such specific conditions as are enumerated in this Ordinance, to execute the Financial Agreement with the Entity, in substantially the form attached hereto, but with such non-material changes, insertions or deletions as the Mayor, in consultation with the Borough Attorney and Special Redevelopment Counsel to the Borough deems in his sole discretion necessary or desirable, with such execution by the Mayor to be deemed as conclusive evidence of the Mayor's consent to such changes, insertions or deletions.
4. The Borough Clerk is hereby authorized and directed, upon execution of the Financial Agreement in accordance with the terms of this ordinance, to attest to the signature of the Mayor and to affix the corporate seal of the Borough to that Financial Agreement.
5. This Ordinance shall not be in force and effect until such time as all of the following conditions have been satisfied.
  - a. The Entity has paid to the Borough all fees and charges required by the Financial Agreement to be paid as of the time of the execution of the Financial Agreement.

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- b. The Entity has submitted such additional information regarding the Application, as may be requested by the Borough.
6. The Borough Clerk is hereby authorized and directed to publish this Ordinance at the times and in the manner required by law and to make a copy of this ordinance available for inspection by the public at the offices of the Borough during the Borough's normal business hours.
7. The Borough Clerk is hereby authorized and directed to send a copy of this Ordinance and the executed Financial Agreement to the Director of the Division of Local Government Services in the NJ Department of Community Affairs.

This ordinance shall take effect upon final passage and publication in the manner provided by law.

Mr. Landrigan moved that Ordinance 37-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

**ORDINANCE 38-2014    ORDINANCE OF THE BOROUGH OF MADISON  
ADOPTING AN AMENDED REDEVELOPMENT PLAN IN ACCORDANCE WITH  
N.J.S.A. 40A:12A-7**

WHEREAS, on August 22, 2011, the Mayor and Council adopted Resolution No. 192-2011 which determined a certain delineated area to be a "Redevelopment Area" as defined in N.J.S.A. 40A:12A-3; and

WHEREAS, pursuant to Ordinance 32-2011, the Mayor and Council adopted a plan for redevelopment of the Redevelopment Area entitled the "Green Village School Redevelopment Plan;" and

WHEREAS, the Borough's Planner has proposed revisions to the Green Village School Redevelopment Plan by way of an amendment to the Green Village School Redevelopment Plan dated May 21, 2014 (the "May 21, 2014 Amended Green Village School Redevelopment Plan" or "Amended Plan"), which will supersede the aforementioned Green Village School Redevelopment Plan; and

WHEREAS, on May 28, 2014, the Mayor and Council, by Resolution No. 168-2014, referred the proposed Amended Plan to the Madison Planning Board, pursuant to N.J.S.A. 40A:12A-7, for review and report thereon; and

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WHEREAS, the proposed Amended Plan meets all of the requirements of N.J.S.A. 40A:12A-7; and

WHEREAS, the area governed by the Amended Plan is the same as defined in Resolution No. 192-2011.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, that the “May 21 2014 Amended Green Village School Redevelopment Plan” is hereby adopted and it shall replace and supersede the previous Plan adopted by Ordinance 32-2011.

Mr. Landrigan moved that Ordinance 38-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

Mr. Landrigan moved adoption of the Resolutions listed on the Consent Agenda. Mr. Catalanello seconded the motion. Mr. Rowe abstained from voting on Resolution R 157-2014. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

R 150-2014 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2014

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Madison will receive \$125,400.00 from the FY 2013 Assistance to Firefighters Grant and wishes to amend its 2014 Budget to include this amount as revenue.

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**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$125,400.00, which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:  
State and Federal Revenues Off-Set with Appropriations; and

**BE IT FURTHER RESOLVED** that the like sum of \$125,400.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 2.5% Caps  
State and Federal programs Off-set by Revenues:  
FY 2013 Assistance to Firefighters Grant-  
Other Expenses \$125,400.00

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

R 151-2014 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE OF A 2015 FORD F250 4X4 PICKUP TRUCK FOR THE FIRE DEPARTMENT TO DITSCHMAN/FLEMINGTON FORD OF FLEMINGTON, NJ, UNDER THE SOMERSET COUNTY COOPERATIVE PRICING COUNCIL PROGRAM

**WHEREAS**, the Borough of Madison desires to ratify an award of a purchase/order contract for a new Ford F250 4x4 pickup truck under the Somerset County Co-Operative Pricing Council program; and

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

**WHEREAS**, Ditschman/Flemington Ford of Flemington, NJ, has been awarded Somerset County Co-Operative Pricing Council Contract cc-9007-13 for the purchase of 2015 Ford F250 vehicles; and

**WHEREAS**, Fire Chief Louie DeRosa has recommended that the Borough Council utilize this contract for the purchase of a new Ford F250 4x4 pickup truck in the amount of \$40,446.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$40,446.00 for this purpose in Ordinance 8-2014.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract be awarded to Ditschman/Flemington Ford of Flemington, NJ for the purchase of a new Ford F250 4x4 pickup truck at a total price not to exceed

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\$40,446.00 under the Somerset County Co-Operative Pricing Council Contract cc-9007-13 and same is hereby ratified and approved.

**R 152-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AMENDMENT TO THE LEASE AGREEMENT WITH NEW LIFE FELLOWSHIP**

**WHEREAS**, on April 14, 2009, the Borough of Madison (the “BOROUGH”) entered into a Lease with New Life Fellowship (“NLF”) to allow the Borough use of a recreation field on the premises located at Block 4501, Lot 3 in the Borough of Madison; and

**WHEREAS**, the BOROUGH and the NLF have agreed to further modify the Lease to include an annual fee for use of the field in the amount of \$1,500.00, to help maintain the facility.

**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 execute the Amendment to the Lease Agreement as described herein with New Life Fellowship, in a form approved by the Borough Attorney.

**R 153-2014 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN MS. ERIKA CRUZ TO THE SUMMER INTERN POSITION IN THE TECHNOLOGY DEPARTMENT**

**WHEREAS**, the Director of Technology has recommended the appointment of Erika Cruz as part-time Summer Intern in the Technology and Administration 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 2014 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 the appointment of Ms. Erika Cruz as part-time Summer Intern in the Technology and Administration Departments, at the rate of pay of \$9.00 per hour, is hereby approved.

**R 154-2014 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A PROFESSIONAL SERVICES CONTRACT TO NISIVOCIA, LLP FOR THE BOROUGH AUDIT FOR 2014**

**WHEREAS**, the Borough Audit Committee has recommended that a professional services contract be awarded to Nisivoccia, LLP to continue to serve as auditor for 2014; and

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**WHEREAS**, the Chief Financial Officer has attested to the availability of funds for these purposes in the 2014 Municipal Operating Budget.

**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 Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract for audit services with Nisivoccia, LLP for 2014 such contract to be in a form approved by the Borough attorney.

2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 155-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN ESTOPPEL CERTIFICATE CONFIRMING THAT A DECLARATION OF RECIPROCAL EASEMENT (DRE) IS IN FULL FORCE AND EFFECT

**WHEREAS**, a request to execute an Estoppel Certificate regarding the Declaration of Reciprocal Easement (DRE) for property located at 160 Park Avenue in the Borough of Florham Park, NJ, has been received due to the pending sale of the property; and

**WHEREAS**, when the Madison Recreation Complex site was purchased a Reciprocal Easement Agreement (DRE) encumbered the property regarding the common areas and roadways. The closing documents provided that Madison has a continuing obligation upon proper notice to execute an Estoppel Certificate confirm that the DRE is in full force and effect; and

**WHEREAS**, the Council is in agreement with such request.

**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 authorizes the Mayor to execute an Estoppel Certificate that the DRE is in full force and effect and has not been assigned, modified, supplemented or amended in any way, on behalf of the Borough of Madison, which may be attested by the Borough Clerk.

R 156-2014 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING LISA QUINN TO THE POSITION OF PART-TIME OFFICE ASSISTANT IN THE OFFICE OF CONSTRUCTION

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**WHEREAS**, the Borough Clerk has recommended appointing Lisa Quinn to the position of Part-Time Office Assistant in the Office of Construction effective June 2, 2014; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Lisa Quinn is hereby appointed to the position of Part-Time Office Assistant in the Office of Construction, effective June 2, 2014, to be compensated at the hourly rate of \$19.47 for a maximum of 29 hours per week, pending receipt of satisfactory background check results.

**R 157-2014 RESOLUTION OF THE BOROUGH OF MADISON SETTING SALARIES FOR FULL-TIME NON-UNION PERSONNEL**

**BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following persons be compensated at the annual salary or rate of wages, the same being within the minimum and maximum limitations established by Ordinance 11-2014, to be effective January 1, 2014.

	<b><u>2014</u></b>
<b><i>POSITION AND NAME</i></b>	
Baratto, Mary Lisa, Joint Municipal Tax Assessor	97,439.00
Burans, Christopher F., Dispatcher	42,529.00
Burnet, James, Assistant Borough Administrator	100,321.00
Codey, Raymond M., Borough Administrator	160,022.00
Dachisen, Darren, Police Chief	128,520.00
DeRosa, Louie E., III, Fire Chief	129,303.00
DeVecchi, Theresa, Executive Assistant	65,249.00
Kalafut, Robert, Chief Financial Officer	137,259.00
Keenan, Benjamin R., Dispatcher	40,339.00
Macaluso, Patricia, Deputy Borough Clerk	51,799.00
Maines, David, Superintendent of Public Works	118,235.00
Manion, Kristy, Confidential Secretary	58,200.00
Mittermaier, Joseph, Dispatcher	36,553.00
Osborne, Elizabeth Borough Clerk	86,000.00
Phillips, Connie, Office Manager	66,810.00
Piano, Michael, Electric Utility Superintendent	119,291.00
Rafter, John, Senior Dispatcher	54,481.00
Sanderson, James, Director of Technology	84,480.00
Sawyer, Linda, Confidential Assistant to CFO & Personnel Officer	64,342.00
Vogel, Robert, Municipal Engineer	131,817.00

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R 158-2014 RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MADISON AUTHORIZING THE TRADE-IN OF USED POLICE DEPARTMENT WEAPONS

**WHEREAS**, the Borough of Madison wishes to trade-in used police department weapons no longer of use to the Borough Police Department, as authorized by N.J.S.A. 40A:11-36; and

**WHEREAS**, the trade-in will partially offset the purchase of new Glock firearms for the Police Department; and

**WHEREAS**, Chief Darren Dachisen and Sgt. Joseph Longo recommend the trade-in of weapons and accessories to Lawmen Supply Company Shop in the amount of \$288.00 per weapon;

**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 trade-in of used 9MM Smith & Wesson Model 6906 semi-automatic pistols and accessories is authorized to be made to Lawmen Supply Company for the price of \$288.00 per firearm.

R 159-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF AN ELECTRIC DEPARTMENT VEHICLE UNDER NEW JERSEY STATE CONTRACT NUMBER T2100/A8591

**WHEREAS**, the Borough of Madison desires to award a contract for the purchase of a Electric Department vehicle under the New Jersey State Contract program; and

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

**WHEREAS**, Beyer Ford, 31 Williams Parkway, 175 Route 10, East Hanover, New Jersey, 07936 has been awarded New Jersey State Contract number T2100/A8591; and

**WHEREAS**, the Superintendent of the Electric Utility has recommended that the Borough Council utilize these contracts for purchase of a Electric Department vehicle as follows; under contract T2100/A8591, one pickup truck in the amount of \$30,000.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$30,000.00 for this purpose, which funds were appropriated by Ordinance 13-2014.

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

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1. A contract for the purchase of an Electric Department vehicle, for \$30,000.00 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Beyer Ford, 31 Williams Parkway, East Hanover, New Jersey, 07936, for the purchase of a Electric Department vehicle at a total price not to exceed \$30,000.00, in a form acceptable to the Borough Attorney.

**R 160-2014 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING DAVE DUBEE DONATION OF LANDSCAPING MAINTENANCE FOR THE BAYLEY ELLARD FIELDS**

**WHEREAS**, Dave Dubee of Madison, New Jersey has generously offered to donate to the Borough of Madison landscaping maintenance services at the Bayley Ellard Fields; and

**WHEREAS**, the Borough Council has concluded that it would be in the best interest of the Borough to accept the donated materials and labor to maintain the Bayley Ellard Fields under the direction of the Superintendent of Public Works; and

**WHEREAS**, Dave Dubee will continue to maintain adequate insurance coverage which names the Borough of Madison as an additional named insured.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison in the County of Morris in the State of New Jersey that the Borough accepts the donations of materials and labor for landscaping maintenance of the Bayley Ellard Fields as described herein and permission is granted for such maintenance under the direction of the Superintendent of Public Works.

**BE IT FURTHER RESOLVED** that the Borough of Madison expresses its gratitude to Dave Dubee for this project.

R 161-2014 ITEM REMOVED AND THE # RETIRED

**R 162-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING COLLECTIVE BARGAINING AGREEMENTS WITH THE EMPLOYEES FEDERATION (WHITE COLLAR AND SUPERVISORS)**

**WHEREAS**, the Borough of Madison (“Borough”) commenced collective negotiations with each of its employee bargaining units; and

**WHEREAS**, the Borough was able to successfully negotiate a memorandum of agreement/understanding with the Borough of Madison Employees Federation (White Collar Unit & Supervisors Unit; and

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**WHEREAS**, the Mayor and Council having considered the specific terms and conditions contained in the memorandum of agreement for the above-enunciated bargaining unit;

**NOW THEREFORE BE IT RESOLVED** as follows:

1. The Mayor and Council hereby authorize the Borough Administrator, Raymond M. Codey and Mayor Robert H. Conley to execute the finalized collective bargaining agreement without further action being necessary; and

4. The Mayor and Council authorize Borough Administrator Raymond M. Codey to effectuate the collective bargaining agreement upon execution by all necessary parties to the collective bargaining agreement.

**R 163-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF HARDING TO PROVIDE PLANNING AND ZONING BOARD SERVICES**

**WHEREAS**, the Township of Harding and the Borough of Madison entered into a Shared Services agreement for the provision of Planning and Zoning Board Secretary Services, wherein Madison provides the Township of Harding with up to four (4) hours of Planning and Zoning Board Secretary Services per week, subject to existing work load obligations, at the monthly rate of \$750.00, paid quarterly, plus \$50.00 per hour additional for attendance at any night meetings, for a total amount not to exceed \$10,000.00; and

**WHEREAS**, the Madison Borough Council has determined to authorize said shared services 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 Harding for the provision of Planning and Zoning Board Secretary Services, such agreement to be in a form approved by the Madison Borough Attorney.

**R 164-2014 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING FRANCESCA PISANO, SARAH HARRINGTON, CLARISA VAN RYZIN AND VIRGINIA VAN RYZIN TO SUMMER RECREATION DEPARTMENT POSITIONS FOR THE SUMMER NATURE PROGRAM (NATURE NUTS)**

**WHEREAS**, the Assistant Borough Administrator has recommended appointment of Francesca Pisano as Nature Director , Sarah Harrington as Assistant Nature Director, Clarisa Van Ryzin and Virginia Van Ryzin as Nature

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Counselors to the part-time summer positions in the Nature Nuts Program in the Recreation Department; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account 370-130, in the 2014 Recreation Department budget; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Francesca Pisano as Nature Director, Sarah Harrington as Assistant Nature Director, Clarisa Van Ryzin and Virginia Van Ryzin as Nature Counselors are hereby appointed to the part-time summer positions of Nature Nuts Program in the Recreation Department effective July 14, 2014 for the summer program.

R 165-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE ELECTRIC UTILITY REBATE PROGRAM FOR 2014

**WHEREAS**, the Borough Council recognizes a need for an Electric Rebate Utility Rebate Program and has allocated \$100,000 in the 2014 Municipal Budget for this purpose; and

**WHEREAS**, the Borough Council finds that it is a benefit to the Borough of Madison to establish an Electric Utility Rebate Program and guidelines for the calendar year 2014.

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

1. An Electric Utility Rebate Program is established for assistance to eligible residents for the calendar year 2014.
2. The Program will be conducted in accordance with the attached 'Announcement of the Madison Electric Utility Rebate Program for 2014' guidelines.

R 166-2014 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE ROTARY CLUB OF MADISON

**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 is hereby approved:

ROTARY CLUB OF MADISON  
I.D. No. 274-8-20538  
R.A. No. 1314 – Off Premise  
December 11, 2014

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R 167-2014 RESOLUTION OF THE BOROUGH OF MADISON DESIGNATING KRE MADISON NJ URBAN RENEWAL LLC AS REDEVELOPER OF 33 GREEN VILLAGE ROAD AND AUTHORIZING EXECUTION OF A REDEVELOPER AGREEMENT AND OTHER DOCUMENTS

Listed earlier in the meeting

R 168-2014 RESOLUTION OF THE BOROUGH OF MADISON TRANSMITTING AMENDED GREEN VILLAGE ROAD REDEVELOPMENT PLAN TO THE PLANNING BOARD FOR REVIEW AND REPORT PURSUANT TO N.J.S.A. 40A:12A-7

Listed earlier in the meeting

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

On motion by Mrs. Vitale, seconded by Mr. Catalanello 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	\$13,365.51
Health & Public Assistance	1,869.73
Public Works & Engineering	116,566.77
Community Affairs	12,642.92
Finance & Borough Clerk	43,169.33
Utilities	<u>1,530,516.71</u>
Total	<u>\$1,718,130.97</u>

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

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

Nays: None

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved July 28, 2014 (EO)