

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

**June 22, 2015 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 22nd day of June, 2015. Acting Mayor Baillie called the meeting to order at 7:00 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 January 8, 2015. 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:

Absent: Mayor Robert H. Conley, excused

Council Members:

Robert Landrigan

Carmela Vitale

Astri J. Baillie

Benjamin Wolkowitz

Patrick W. Rowe

Absent: Robert G. Catalanello, excused

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**

Mrs. Vitale moved:

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

MINUTES FOR APPROVAL (1)

May 27, 2015

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

CONTRACT MATTERS (6)

SEWER LINING IMPROVEMENTS

LIBRARY ROOFTOP UNIT AND CEILING REPLACEMENT

2015 RIDGEDALE AVE IMPROVEMENTS

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CONSTRUCTION INSPECTION SERVICES  
PUBLIC WORKS SKID STEER  
WAVERLY GREEN PARKING LOT RECONSTRUCTION

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

PERSONNEL MATTERS (3)  
POLICE DISPATCHERS- PER DIEM  
POLICE DEPARTMENT ACTING PROMOTIONS  
SPECIAL POLICE OFFICER

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

LITIGATION MATTERS (1)  
DECLARATORY JUDGMENT ACTION

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

Seconded: Mr. Landrigan  
Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

Acting Mayor Baillie reconvened the Regular Meeting at 8:10 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

**APPROVAL OF MINUTES**

Mrs. Vitale moved approval of the **Executive Minutes of May 27, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Mrs. Vitale moved approval of the **Regular Meeting Minutes of May 27, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

**GREETINGS TO PUBLIC**

Acting Mayor Baillie made the following comments:

The Madison Public Library invites residents to participate in the Summer Reading Program as well as the many other programs scheduled. June 20<sup>th</sup> was the kick-off celebration for the Summer Reading Program for children featuring the theme “Every Hero Has a Story.” So far over 250 children have registered to participate. Teens entering grades 6 – 12 are invited to participate in their special reading program using the theme “Unmask.” Teens can read or listen to books, keep track of the reading time and be eligible for prizes. “Escape the Ordinary” is the theme for the adult reading program.

The Madison Fire Department reports that all ladders have been recertified and the required confined space drill has been completed. A residence on Green Avenue was made available to the Fire Department for training, as it is slated to be torn down. The members of the Fire Department will participate in the Florham Park annual 4<sup>th</sup> of July parade.

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The Downtown Development Commission announces that the Farmers' Market is now located on Central Avenue on Thursdays from 2:00 p.m. until 7:00 p.m. The Madison Sidewalk Gallery, a project of the Madison Arts and Culture Alliance (MACA) exhibits original artwork of local artists on banners in the downtown district.

*Oath of Office Volunteer Firefighter*

Mrs. Vitale moved approval of the Resolution R 176-2015. Mr. Rowe seconded the motion, which passed by unanimous voice vote.

R 176-2015 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING MEMBERSHIP OF JAMES DELGRECO IN THE MADISON HOSE COMPANY #1

**WHEREAS**, the Fire Chief has advised that James Delgreco was voted into the Madison Hose Company #1 as a volunteer firefighter; and

**WHEREAS**, Section 18-27 of the Madison Borough Code requires that each person so voted shall be confirmed as a member of such division by the Council of the Borough of Madison.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that James Delgreco is hereby confirmed as a member of the Madison Hose Company #1 effective immediately.

Oath of Office Volunteer Firefighter Jaes Delgreco was administered by Acting Mayor Baillie.

**REPORTS OF COMMITTEES**

**Community Affairs**

Ms. Baillie, Chair of the Committee, report provided previously.

**Public Safety**

Mr. Catalanello, Chair of the Committee, absent.

**Utilities**

Mrs. Vitale, Chair of the Committee, made the following comments:  
The Madison Electric Department reports installed new poles on Leigh Avenue and Hamilton Street and has constructed a new three phase bank of transformers at 39 Green Village Rd. The Electric Department has also completed pole transfers on Woodland Road. The Water Department continues working on requests for mark outs along Ridgedale for PSE&G ahead of planned roadway resurfacing. Mrs. Vitale noted that the Utility Advisory Committee held a presentation on how and where our water comes from and toured Well A.

**Finance and Borough Clerk**

Mr. Landrigan, Chair of the Committee, made the following comments:  
The 2014 municipal audit has been completed and the auditors report no major issues. Mr. Landrigan noted that a note for the debt for the Madison Recreation Center is do this August and funds from the Open Space Trust fund will be used for

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this obligation. Mr. Landrigan also noted that the Borough of Madison will receive a Green Acres grant in the amount of \$500,000.00.

### **Health**

Mr. Wolkowitz of the Committee made the following comments:

The Madison Health Department reports two illnesses associated with travel that have recently been reported, MERS, Middle East Respiratory Syndrome Coronavirus, a respiratory virus and NoroVirus, often seen on cruise ships and typically transmitted through food. Residents are reminded to wash their hands often. Mr. Wolkowitz congratulated Public Health Nurse Flo Rice on her recent retirement and wished her all the best in the future.

### **Public Works and Engineering**

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

The Sewer Department is cleaning the sanitary sewer lines five days a week and also performing sewer basin repairs. The Borough's Mill and Overlay contractor has completed work on Woodland Road near Chatham Township last week, and will be working on repaving the entire length of Noe Ave next week. For the Library HVAC improvements project, the Borough entered into negotiations with several bidders. As a result, a recommendation for an award within the budget is included on tonight's agenda. Work should be completed this fall. The 2015 Sanitary Sewer Main lining project bid was publicly opened on June 11<sup>th</sup>. An award of contract is listed on the Consent Agenda for this evening.

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Email dated June 10, 2015, from Ken Waer of Anthony Drive inviting the Mayor and Council to the June 15<sup>th</sup> Mayor's Trophy Game versus the Chathams.

Email dated June 17, 2015, from Natalie Mazurets of Avon Drive asking Council to approve the withdrawal of the Civic Center Redevelopment.

Mr. Giacobbe read the following statement from Mayor Conley regarding the proposed redevelopment of the Civic Center property at 28 Walnut Street:

To the Council and Residents of Madison,  
I apologize for not being able to be with you tonight, I am on a long-planned family vacation out of state, one with inflexible travel options. Madison has a rich history with affordable housing. One could say it started a century ago with the rose growers and millionaires building homes for those who worked the greenhouses and the estates. This led to the first wave of immigration, establishing Madison as a community that embraces diversity. When World War II came to an end, Madison again stepped forward, creating housing for the returning veterans on what is now the Lucy D. Anthony ball fields. In 1970, Madison established the Housing Authority to address the challenge of providing affordable housing for residents. This was five years before the Court mandated affordable housing through what became known as the Mt. Laurel Doctrine. We are one of only three (3) towns out of the 39 towns in Morris County to even have a Housing Authority. In the decades that followed, Madison became the model for communities looking for examples of successful affordable housing projects. Madison used a mixture of methods to meet the need from the scattered site projects on Loantaka and Belmont to the 80-unit Rexford Tucker Senior Housing on Chateau Thierry. Very often a new project would not only provide the much needed housing but would greatly improve a neighborhood. A few examples:

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- The recent partnership with Habitat for Humanity converting a contaminated former paving contractor site on Strickland to three for-purchase affordable homes.
- Two projects on Elm St; one at the corner of Park Ave. that removed a building that was overtaken by cats and the other replacing a rundown residence that had been cited for allowing overcrowding and dangerous conditions to exist.

Yes, we have a proud history in the world of housing. Of course this doesn't mean we sit on our history. We must look to the future and how do we meet our moral and legal obligation to provide affordable housing. In the current climate, there are two major challenges we face in the world of affordable housing obligations. One is the Governor's decision to let the Courts, not COAH guide the path to expanded affordable housing. The other is that affordable housing projects face the same challenge we all face in Northern New Jersey, the high cost of land. What worked in the past may not work for the future. As this elected body (Mayor and Council) took on the challenge it was the Madison history of housing innovation that drove the unanimous support for the combined housing and Civic Center project on Walnut St. This project would have provided 40 of the 88 units of our affordable housing obligation along with a new Civic Center. Because the site was located near public transportation, we were also eligible for extra housing credits reducing our total remaining obligation to 35 units under the proposed third round COAH rules. The plaintiffs in the recent New Jersey Supreme Court landmark case, however, maintain that our current affordable housing obligation is 1,000 units, not 88 units. It would have also replaced a building that was obsolete when Madison acquired it. Yes, an elevator was added just a few years ago but that work didn't come close to dealing with the poor layout of the floors it serves and didn't even touch issues with the front building. Adding to the housing challenge is the looming court filing deadline on July 8th. In the current political world of "kick the can down the road," I commend this Council for taking on the challenge by giving full support to this project. Last Monday we heard many resident concerns about this project. Some could have been addressed through better research and education. Some would have been covered through the approval process, except for one issue, "Why is this moving so fast." That last question has brought me to where I am now, asking you the Council to rescind the approval of the 40-unit affordable housing project and the rehabilitation of the Civic Center. Yes, we need be concerned about what may happen over the next few months related to our housing obligation and the specter of large for-profit builders imposing their housing projects on Madison, but experience has shown us that good long-range planning cannot occur under the pressure of short-term deadlines. In addition to asking you, the Madison Borough Council to rescind the approval of RPM and the proposed project I will be requesting the following:

1. That the Planning Board continue in earnest their work on incorporating an affordable housing element in our Master Plan.
2. Our attorneys to file with the Court a Declaratory Judgment action incorporating our strong history with affordable housing and our commitment to the future with inclusionary housing while working on a plan to create 88 housing units based on the third round COAH certification process.
3. Because the Council and Planning Board are the deliberative bodies responsible for affordable housing in Madison, I will be announcing in the upcoming weeks that representatives from both the Council and Planning Board will work with our Planner, Administration and others to formulate a comprehensive affordable housing strategy for Madison.

Again I want to thank the Council for fully supporting what would be considered a "greater good" project. This is not a rebuttal of the work we were trying to do, but a

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recognition that we are not considered one of the top 25 small towns to live by accident. We attained that lofty ranking through strong and thorough planning and that is the course we intend to pursue.

Thank you for listening to me from afar.

Bob Conley

Mayor

### **INVITATION FOR DISCUSSION (1 of 2)**

Acting Mayor Baillie 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.**

**Sharon Harris; Rosedale Avenue**, asked if affordable housing has been considered at the Madison Public Library site.

**Chris Kellogg; Walnut Street**, thanked the Mayor and Council and Administration for their hard work and asked that the residents be engaged in a Borough wide process regarding affordable housing.

**Michelle Pullaro; Maple Avenue**, asked what has changed regarding the proposed redevelopment of the Civic Center, other than the public outcry at the special meeting held June 15<sup>th</sup>.

**Fredrick Zeigler; Ridgedale Avenue**, asked for clarification of the deadline for filing for declaratory judgment action.

**Lisa Sapio; Ridgedale Avenue**, inquired if the redevelopment project at the Civic Center property will be considered at a future date.

**Larry Wickman; Walnut Street**, express his concern regarding the information presented to residents about the redevelopment of the Civic Center property and asked that a traffic study, including pedestrian traffic, be conducted.

**Laura Crane; Ferndale Road**, asked the Borough Attorney what the time frame will be for a ruling on the declaratory judgment action.

### **AGENDA DISCUSSIONS**

#### **13. AGENDA DISCUSSIONS**

##### **06/22/2015-1 WITHDRAWAL OF THE CIVIC CENTER REDEVELOPMENT PROJECT**

Mr. Giacobbe read Resolution R 200-2015 in full for the record. Acting Mayor Baillie asked for a motion to consider the resolution.

Mrs. Vitale moved adoption of Resolution R 200-2015. Mr. Wolkowitz seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello

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R 200-2015 RESOLUTION OF THE BOROUGH OF MADISON RESCINDING THE CONDITIONAL DESIGNATION OF RPM DEVELOPMENT, L.L.C. AS REDEVELOPER OF 28 WALNUT STREET (CIVIC CENTER SITE)

**WHEREAS**, on June 8, 2015 the Mayor and Council of the Borough of Madison conditionally designated RPM Development, L.L.C., through its affiliate Walnut Development Associates, L.L.C., (collectively “RPM”) as redeveloper of 28 Walnut Street for construction of a building containing new civic center space and 40 affordable housing units (the “Project”); and

**WHEREAS**, the designation was contingent upon the negotiation and execution of a Redevelopment Agreement for the Project on or prior to June 22, 2015; and

**WHEREAS**, subsequent to the conditional designation, Borough and RPM representatives have concluded that it is in the best interest of all parties to withdraw the Project from further consideration.

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

1. The conditional designation of RPM Development, L.L.C. as redeveloper of the Property is hereby rescinded, and the Project is withdrawn from further consideration.
2. The Mayor and Borough Administrator are hereby authorized to take any and all other action needed to effectuate the purposes of this Resolution.

***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 27, 2015, 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 39-2015**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING AN ADDITIONAL \$6,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST FUND TO ORDINANCE 13-2015 FOR PROFESSIONAL SERVICES FOR THE RESTORATION AND RENOVATION TO THE EAST WING OF THE HARTLEY DODGE MEMORIAL BUILDING**

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to restore and renovate the East Wing of the Hartley Dodge Memorial Building; and

**WHEREAS**, the Open Space Advisory Committee has recommended the full funding of the request; and

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**WHEREAS**, the Borough Council has determined that the Borough should appropriate an additional \$6,000.00 from the Municipal Open Space Trust Fund to Ordinance 13-2015 which appropriated \$10,000.00 for professional services associated with the restoration and renovation of the East Wing of the Hartley Dodge Memorial Building; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed an additional \$6,000.00 for this purpose in the Municipal Open Space Trust Fund.

**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 Municipal Open Space Trust Fund to supplement the \$10,000.00 authorized by Ordinance 13-2015 for professional services associated with the restoration and renovation of the East Wing of the Hartley Dodge Memorial Building.

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

Acting Mayor Baillie opened up the public hearing on Ordinance 39-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Wolkowitz moved that Ordinance 39-2015, which was 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mr. Catalanello

Acting Mayor Baillie declared Ordinance 39-2015 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 40-2015**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$200,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST FUND FOR PHASE 2 SITE REMEDIATION OF THE BAYLEY ELLARD PLAYING FIELDS**

**WHEREAS**, the Borough Council has determined to improve the fields, complete the remediation and make safety improvements at the Bayley Ellard Fields; and

**WHEREAS**, the Open Space Advisory Committee has reviewed and recommends the funding request; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$200,000.00 from the Madison Open Space Trust Fund for Phase 2 site remediation at the Bayley Ellard Fields; and

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**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$200,000.00 for this purpose in the Madison Open Space Trust Fund.

**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 \$200,000.00 is hereby appropriated from the Madison Open Space Trust Fund for Phase 2 site remediation at the Bayley Ellard Fields.

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

Acting Mayor Baillie opened up the public hearing on Ordinance 40-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Wolkowitz moved that Ordinance 40-2015, which was 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mr. Catalanello

Acting Mayor Baillie declared Ordinance 40-2015 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 41-2015**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$5,740.00 FROM THE FIRE DEPARTMENT TRUST FUND TO PURCHASE HYDRANT FLAGS**

**WHEREAS**, the Fire Chief has recommended that the Borough appropriate \$5,740.00 from the Fire Department Trust Fund to purchase 700 hydrant flags; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Fire Trust Fund in an amount not to exceed \$5,740.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$5,740.00 from the Fire Trust Fund to purchase 700 hydrant flags; 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 \$5,740.00 is hereby appropriated from the Fire Department Trust Fund to purchase 700 hydrant flags.

**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.

Acting Mayor Baillie opened up the public hearing on Ordinance 41-2015. Since no member of the public wished to be heard, the public hearing was closed.

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Mr. Landrigan moved that Ordinance 41-2015, which was 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mr. Catalanello

Acting Mayor Baillie declared Ordinance 41-2015 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 42-2015  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING  
ORDINANCE 2-2015 APPROPRIATING \$950,000.00 FROM THE  
GENERAL CAPITAL IMPROVEMENT FUND FOR THE ROAD  
IMPROVEMENTS ON RIDGEDALE AVENUE TO INCREASE THE  
APPROPRIATION FROM \$950,000.00 TO \$1,050,000.00**

**WHEREAS**, Ordinance 2-2015 of the Borough of Madison appropriated \$950,000.00 from the General Capital Improvement Fund for road improvement to Ridgedale Avenue, including new pavement, traffic calming and pedestrian sidewalk ramp improvements; and

**WHEREAS**, the Borough Engineer has recommended that the Borough amend Ordinance 2-2015 to appropriate an additional \$100,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 2-2015 to \$1,050,000.00 for the road improvements to Ridgedale Avenue; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$1,050,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should amend Ordinance 2-2015 to appropriate an additional \$100,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 2-2015 to \$1,050,000.00 for road improvements to Ridgedale Avenue.

**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 2-2015 is hereby amended to appropriate an additional \$100,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 2-2015 to \$1,050,000.00 for road improvements to Ridgedale Avenue.

**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.

Acting Mayor Baillie opened up the public hearing on Ordinance 42-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 42-2015, which was read by title, be finally adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello

Acting Mayor Baillie declared Ordinance 42-2015 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)***

Acting Mayor Baillie opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

***Sam Cerciello; Park Avenue***, provided a letter to the Mayor and Council and Borough Engineer dated November 2011, regarding drainage issues on South Street, and asked that the issue be addressed further.

***Don Brunner; Redmond Drive***, inquired about the contract amount of the proposed award of contract for the Library Rooftop Unit and Ceiling Replacement project.

***John Solu; Ridgedale Avenue***, asked that the speed limit be enforced along Ridgedale Avenue.

***Francine Clinton; Ridgedale Avenue***, noted that several trucks are using Ridgedale Avenue, instead of the truck route along Central and asked for enforcement.

***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 July 13, 2015 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.

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

ORDINANCE 43-2015 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING ORDINANCE 52-2014 APPROPRIATING \$200,000.00 FROM  
THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE WAVERLY

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GREEN PARKING LOT IMPROVEMENT PROJECT TO INCREASE THE APPROPRIATION FROM \$200,000.00 TO \$250,000.00

**WHEREAS**, Ordinance 52-2014 of the Borough of Madison appropriated \$200,000.00 from the General Capital Improvement Fund for Waverly Green Parking Lot Improvement project; and

**WHEREAS**, the Borough Engineer has recommended that the Borough amend Ordinance 52-2014 to appropriate an additional \$50,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 52-2014 to \$250,000.00 for Waverly Green Parking Lot Improvement project; 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 \$250,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should amend Ordinance 52-2014 to appropriate an additional \$50,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 52-2014 to \$250,000.00 for Waverly Green Parking Lot Improvement project.

**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 52-2014 is hereby amended to appropriate an additional \$50,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 52-2014 to \$250,000.00 for the Waverly Green Parking Lot Improvement project.

**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. Rowe moved that Ordinance 43-2015, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello

ORDINANCE 44-2015 ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$32,000.00 FROM THE FIRE DEPARTMENT TRUST FUND TO PURCHASE NOTEBOOKS AND TABLETS

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**WHEREAS**, the Fire Chief has recommended that the Borough appropriate \$32,000.00 from the Fire Department Trust Fund to purchase and install notebooks and tablets; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Fire Trust Fund in an amount not to exceed \$32,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$32,000.00 from the Fire Trust Fund to purchase and install notebooks and tablets.

**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 \$32,000.00 is hereby appropriated from the Fire Department Trust Fund to purchase and install notebooks and tablets.

**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. Landrigan moved that Ordinance 44-2015, 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. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mr. Catalanello

**ORDINANCE 45-2015    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$7,942.79 FROM THE FIRE DEPARTMENT TRUST  
FUND TO REPAIR TOWER 1**

**WHEREAS**, the Fire Chief has recommended that the Borough appropriate \$7,950.00 from the Fire Department Trust Fund for the repair of Tower 1; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Fire Trust Fund in an amount not to exceed \$7,950.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$7,950.00 from the Fire Trust Fund for the repair of Tower 1.

**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 \$7,950.00 is hereby appropriated from the Fire Department Trust Fund for the repair of Tower 1.

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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. Landrigan moved that Ordinance 45-2015, which the 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mr. Catalanello

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

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

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

Nays: None

Absent: Mr. Catalanello

**R 177-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR MORRIS COUNTY 4H CLUB**

WHEREAS, the 4-H Association and the Rutgers Cooperative Extension of Morris County have requested permission to put up temporary signs advertising the Morris County 4-H Fair on July 15-19, 2015, in Chester; and

WHEREAS, the signs would be located at the intersection of Shunpike Road and Loantaka Way, at the intersection of Loantaka Way and Madison Avenue, and at Main Street at the Chatham border, commencing on July 1, 2015 and removed by July 22, 2015; and

WHEREAS, the Zoning Officer has recommended that a temporary sign permit be issued.

**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 4-H Association and the Rutgers Cooperative Extension of Morris County to put up temporary signs as described herein from July 1, 2015 to July 22, 2015, is approved.

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R 178-2015 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 2015

**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 \$20,000.00 from the FY 2014-2015 Sustainable Jersey Small Grant and wishes to amend its 2015 Budget to include this amount as revenue.

**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 2015 in the sum of \$20,000.00, 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 \$20,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 3.5% Caps

State and Federal programs Off-set by Revenues:

FY 2014-2015 Sustainable Jersey Small Grant-

Other Expenses                      \$20,000.00

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

R 179-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDDING CONTRACT TO DESESA ENGINEERING COMPANY, INC. OF LIVINGSTON, NEW JERSEY IN THE AMOUNT OF \$649,500.00 FOR THE ROOFTOP HVAC UNIT AND CEILING REPLACEMENT AT THE MADISON PUBLIC LIBRARY

**WHEREAS**, the Madison Public Library advertised and received bids on two separate occasions for the Library Rooftop Unit and Ceiling Replacement project, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, on both occasions all bids exceeded the appropriated funds for the project; and

**WHEREAS**, in accordance with Local Public Contracts Law, a contract has been negotiated with Desesa Engineering Company, Inc. of Livingston, New Jersey in the amount of \$649,500.00; and

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**WHEREAS**, the Borough Engineer and Borough Attorney have recommended that the Borough Council award a contract to Desesa Engineering Company, Inc. of Bloomingdale, New Jersey in the amount of \$649,500.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$649,500.00 for this purpose in Ordinance 23-2014 and Ordinance 3-2015.

**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 Library Rooftop Unit and Ceiling Replacement project at the Madison Public Library is hereby awarded to Desesa Engineering Company, Inc. of Livingston, New Jersey based upon its quote in the amount of \$649,500.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Desesa Engineering Company, Inc. of Livingston, New Jersey in a form acceptable to the Borough Attorney.

**R 180-2015 RESOLUTION OF THE MADISON BOROUGH COUNCIL  
AWARDING CONTRACT TO CIFELLI & SONS CONSTRUCTION IN THE  
AMOUNT OF \$1,008,914.02 FOR THE 2015 RIDGEDALE AVENUE  
IMPROVEMENTS**

**WHEREAS**, the Borough of Madison publicly advertised bids for the 2015 Ridgedale Avenue Improvements; and

**WHEREAS**, the lowest qualified bid was submitted by Cifelli & Sons Construction in the amount of \$992,954.02 for the base bid , plus certain bid alternates; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the contract to Cifelli & Sons Construction in the amount of \$992,954.02 for the base bid, plus certain bid alternates #1 and #3 in the amount of \$15,960, for a total contract amount of \$1,008,914.02 ; and

**WHEREAS**, the Borough Engineer has applied for and received authorization from the State of New Jersey Department of Transportation for Municipal Aid reimbursement funding in the total amount of \$360,000.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$1,008,914.02 for this purpose which funds were appropriated by Ordinance 2-2015 and Ordinance 42-2015;

**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. The contract for the 2015 Ridgedale Avenue Improvements is hereby awarded to Cifelli & Sons Construction based upon its bid in the amount of \$1,008,914.02 for the base bid, plus certain bid alternates #1 and #3.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Cifelli & Sons Construction in a form acceptable to the Borough Attorney.

**R 181-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO DENNIS HARRINGTON OF MADISON, NJ FOR FIELD INSPECTIONS AND OVERSIGHT OF THE 2015 RIDGEDALE AVENUE IMPROVEMENTS IN THE AMOUNT NOT TO EXCEED \$37,500.00**

**WHEREAS**, the Borough Engineer has recommended that the Borough obtain professional services from Dennis Harrington, P.E., for field inspections and oversight of the 2015 Ridgedale Avenue Improvements (hereinafter the “Contract”); and

**WHEREAS**, said services would constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the Contract to Dennis Harrington, P.E. in an amount not to exceed \$37,500.00, for field inspections and oversight of the 2015 Ridgedale Avenue Improvements; and

**WHEREAS**, Dennis Harrington, P.E., must submit to the Borough Purchasing/Personnel Officer the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$37,500.00 for this purpose, which funds were appropriated by Ordinance 42-2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract for professional services with Dennis Harrington, P.E., for field inspections and oversight of the 2015 Ridgedale Avenue Improvements in an amount not to exceed \$37,500.00.

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R 182-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING THE HIRING OF VINCENT ZVOLENSKY AND EVAN WEBB AS A PER DIEM DISPATCHERS IN THE MADISON POLICE DEPARTMENT

**WHEREAS**, Police Chief Darren Dachisen has recommended that Vincent Zvolensky and Evan Webb be hired as additional part-time, per diem dispatchers in the Police Department, to be compensated at a rate of \$22.50 per hour; and

**WHEREAS**, the Police Department requires additional part time personnel to staff the communications center and reduce overtime costs associated with emergency service communications; and

**WHEREAS**, per diem dispatchers do not receive any health or pension benefits and are funded under the 2015 Police Department operating budget; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the hiring of Vincent Zvolensky and Evan Webb as a part-time, per diem dispatcher at the Madison Police Department, at a rate of compensation of \$22.50 per hour, is hereby approved.

R 183-2015 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE ORDER/CONTRACT TO FOLEY, INC. OF PISCATAWAY, NEW JERSEY FOR THE PURCHASE OF A SKID STEER UNDER THE NATIONAL IPA COOPERATIVE CONTRACT

**WHEREAS**, the Borough of Madison desires to award a purchase order/contract for the purchase of a Skid Steer with attachments to an authorized vendor under the National IPA 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**, Foley, Inc. of Piscataway, New Jersey has been awarded the National IPA Co-Operative Pricing Council Contract for Skid Steers; and

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough Council utilize this contract for the purchase of a Skid Steer with attachments in the amount of \$71,048.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$71,048.00 for this purpose, which funds are appropriated by Ordinance 23-2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract awarded to Foley, Inc. of Piscataway, New Jersey, for the purchase

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of a Skid Steer with attachments, at a total price not to exceed \$71,048.00 under the National IPA Co-Operative Pricing Council Contract is hereby ratified and approved.

**R 184-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO EN-TECH CORPORATION IN THE AMOUNT OF \$119,332 .00 FOR THE 2015 SANITARY SEWER MAIN LINING PROGRAM**

**WHEREAS**, the Borough of Madison publicly advertised for bids for the 2015 Sanitary Sewer Main Lining Program (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 En-Tech Corporation in the amount of \$119,332.00; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the contract to En-Tech Corporation in the amount of \$119,332.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$119,332.00 for this purpose which funds were appropriated by Ordinance 17-2015.

**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 2015 Sanitary Sewer Main Lining Program is hereby awarded to En-Tech Corporation based upon its bid in the amount of \$119,332.00.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with En-Tech Corporation in a form acceptable to the Borough Attorney.

**R 185-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATION TO AMEND RAFFLES LICENSE NO.1344 SUBMITTED BY SHAKESPEARE THEATRE OF NEW JERSEY TO CHANGE THE DATE OF THE DRAWING**

**BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Application to Amend Raffles License No. 1344 submitted by Shakespeare Theatre of New Jersey, I.D. No. 274-5-32247, is hereby approved for the purpose of changing the date, due to a printing error on the raffle tickets with which it was associated, as follows:

- From: January 3, 2016  
To: January 4, 2016

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

**R 186-2015 RESOLUTION OF THE BOROUGH OF MADISON GRANTING PERMISSION TO PLANT A TREE AT TRESTLE PARK**

**WHEREAS**, the Madison Boy Scouts have requested permission to plant a tree at Trestle Park in honor of Robert Beaman, life long Madison resident and volunteer, with the assistance of the Department of Public Works; and

**WHEREAS**, the Council supports the planting of the tree at Trestle Park.

**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 planting of a tree at Trestle Park with the assistance of the Department of Public Works, in honor of Robert Beaman.

**R 187-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A NEW JERSEY HISTORIC TRUST GRANT FOR RENOVATION TO THE EAST WING OF THE HARTLEY DODGE MEMORIAL**

**WHEREAS**, the governing body of the Borough of Madison desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$150,000.00 for the renovation of the East Wing of the Hartley Dodge Memorial.

**NOW THEREFORE BE IT RESOLVED**, the governing body authorizes the Mayor and Borough Clerk to sign the appropriate assurances and acknowledge the certification above; and if awarded a grant, to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

**R 188-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDED CONSTRUCTION CONTRACT FOR THE WAVERLY GREEN PARKING LOT IMPROVEMENTS PROJECT TO ADAMSVILLE MAINTENANCE, INC. IN THE AMOUNT OF \$233,470.00**

**WHEREAS**, the Borough of Madison publicly advertised for bids for the Waverly Green Parking Lot Improvements (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

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**WHEREAS**, the sole qualified bid on the Contract was submitted by Adamsville Maintenance, Inc., of Hillsborough, New Jersey, in the amount of \$233,470.00; and

**WHEREAS**, the Borough Engineer has recommended that the Contract should be awarded to Adamsville Maintenance, Inc., in the amount of \$233,470.00; and

**WHEREAS**, the Borough Council has determined that this bid is fair and reasonable and that Adamsville Maintenance, Inc. should be awarded the contract based on its bid in the amount of \$233,470.00, contingent upon the adoption of an appropriation ordinance therefore; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$233,470.00; for this purpose, which funds will be appropriated by Ordinance 43-2015, to be adopted on July 13, 2015.

**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 is hereby awarded to Adamsville Maintenance, Inc. based upon its bid in the amount of \$233,470.00 for Waverly Green Parking Lot Improvements subject to the adoption of Ordinance 43-2015 scheduled for adoption on July 13, 2015 and this award and Resolution shall become null and void should Ordinance 43-2015 not be adopted on July 13, 2015.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the Contract with Adamsville Maintenance, Inc., in a form acceptable to the Borough Attorney, upon the adoption of Ordinance 43-2015.

R 189-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE HUDDLE, INC. d/b/a THE HUDDLE CLUB

**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:

The Huddle Inc. d/b/a The Huddle Club  
I.D. No. 274-5-39130  
R.A. No. 1352 – Off premise  
December 19, 2015

R 190-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY BPOE #1465 MADISON LODGE TO CONDUCT DAILY INSTANT RAFFLE GAMES, INCLUDING SUNDAYS

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**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. 274-6-34038 to BPOE #1465 Madison Lodge; 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 BPOE #1465 Madison Lodge to conduct Instant Raffle Games seven days a week on its premises at 192 Main Street, Madison, from September 8, 2015 through September 8, 2016.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the aforementioned Application for Raffles License, R.A. No. 1353, to be held as listed above, be and the same is hereby approved.

R 191-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY PTSO MADISON HIGH SCHOOL

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

PTSO MADISON HIGH SCHOOL  
I.D. No. 274-5-33795

R.A. No. 1349– On Premise  
September 12, 2015  
September 19, 2015  
October 3, 2015  
October 23, 2015

R.A. No. 1350 – Off Premise  
October 22, 2015

R.A. No. 1351 – On Premise  
October 22, 2015

R 192-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY THE AUXILIARY OF THE MADISON VOLUNTEER AMBULANCE CORP

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**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:

AUXILIARY OF THE MADISON VOLUNTEER AMBULANCE CORP.  
I.D. No. 275-10-10817  
R.A. No. 1354 – Off premise  
November 16, 2015

R 193-2015 RESOLUTION OF THE BOROUGH OF MADISON RENEWING LIQUOR LICENSES IN THE BOROUGH OF MADISON FOR THE 2015-2016 LICENSE TERM

**BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following applications for renewal of Liquor Licenses for the 2015 - 2016 license term be, and hereby are, approved:

**CLUB LICENSES - FEE: \$180.00; July 1, 2015 through June 30, 2016**

License #1417-31-020-001  
Madison Lodge BPO Elks #1465  
192 Main Street  
Madison, NJ 07940

License # 1417-31-019-002  
Center Pub Assoc Of Drew University  
36 Madison Avenue  
Madison, NJ 07940

**CONSUMPTION LICENSE – FEE \$2,386.00; July 1, 2015 through June 30, 2016**

License #1417-33-010-005  
L'Allegria Restaurant Corp  
9-11 Prospect Street  
Madison, NJ 07940

License #1417-33-024-009  
Tavern At Main Corp  
t/a 54 Main Bat & Grill  
54 Main Street  
Madison, NJ 07940

License #1417-33-011-009  
NJ Entertainment, LLC  
t/a Plaza Lanes  
53 Madison Plaza  
Madison, NJ 07940

**DISTRIBUTION LICENSES - FEE: \$1,798.00; July 1, 2015 through June 30, 2016**

License # 1417-44-007-003  
VNB Wine and Spirit  
Rose City Liquors  
84 Main Street  
Madison, NJ 07940

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License #1417-44-009-008  
Shah Traders inc.  
Madison Liquor & Convenience  
6 Elm Street  
Madison, NJ 07940

R 194-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE ORDER TO S AND L CONTRACTORS, LLC AND QAV TECHNOLOGIES, LLC FOR THE RELOCATION OF THE MADISON MASTER METER

**WHEREAS**, the Borough of Madison desires to authorize the expenditure of funds to relocate the Madison Master Meter as discussed at the June 15, 2015 meeting of the Joint Meeting; and

**WHEREAS**, the Borough Administrator has recommended that the Borough Council authorize a contract for relocation of the Master Meter to S and L Contractors, LLC in the amount of \$ 4,640.00 and QAV Technologies in the amount of \$1,569.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$6,209.00 for this purpose in the 2015 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, as follows:

1. The expenditure of funds to relocate the Madison Master Meter, at a total price not to exceed \$6,209.00 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 S and L Contractors, LLC in the amount of \$ 4,640.00 and QAV Technologies in the amount of \$1,569.00 to relocate the Master Meter at a total price not to exceed \$6,209.00, in a form acceptable to the Borough Attorney.*

R 195-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF SOFTWARE FROM DELL MARKETING UNDER STATE CONTRACT #M0003 IN THE AMOUNT OF \$4,965.45

**WHEREAS**, the Borough of Madison desires to purchase software from an authorized vendor under State Contract #M0003; and

**WHEREAS**, the purchase of goods and services through 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**, Dell Marketing, LT has been awarded New Jersey State contract # M0003; and

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**WHEREAS**, the Network Administrator has recommended that the Borough Council utilize this contract for software in the amount of \$4,965.45; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$4,965.45 for this purpose in the technology 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 purchase of software from Dell Marketing LT, at a total price not to exceed \$4,965.45 is hereby approved under the New Jersey State contract number #M0003.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Dell Marketing LT for the purchase of software at a total price not to exceed \$4,965.45, in a form acceptable to the Borough Attorney.

R 196-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF SERGEANT JOHN MISCIA AS ACTING EVENING/WEEKEND LIEUTENANT IN THE MADISON POLICE DEPARTMENT EFFECTIVE JUNE 23, 2015

**WHEREAS**, the Borough Council, after due consideration, has determined to appoint Sergeant John Miscia to the position of Acting Evening/Weekend Lieutenant in the Madison Police Department effective June 23, 2015, subject to a promotional examination process thereafter for the permanent position of Lieutenant ;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Sergeant John Miscia is hereby appointed to the position of Acting Evening/Weekend Lieutenant in the Madison Police Department, effective June 23, 2015, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement pending a promotional examination process for the permanent position of Lieutenant.

R 197-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF OFFICER KEVIN BOONE AS ACTING SERGEANT IN THE MADISON POLICE DEPARTMENT EFFECTIVE JUNE 23, 2015

**WHEREAS**, the Borough Council, after due consideration, has determined to appoint Officer Kevin Boone to the position of Acting Sergeant in the Madison Police Department effective June 23, 2015, subject to a promotional examination process hereafter for the permanent position of Sergeant.

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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 Officer Kevin Boone is hereby appointed to the position of Acting Sergeant in the Madison Police Department, effective June 23, 2015, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement, pending a promotional examination process for the permanent position of Sergeant.

R 198-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF DETECTIVE PAUL KOSAKOWSKI AS ACTING DETECTIVE/SERGEANT IN THE MADISON POLICE DEPARTMENT EFFECTIVE JUNE 23, 2015

**WHEREAS**, the Borough Council, after due consideration, has determined to appoint Officer Paul Kosakowski to the position of Acting Detective/Sergeant in the Madison Police Department effective June 23, 2015 subject to a promotional examination process hereafter for the permanent position of Sergeant ;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Detective Paul Kosakowski is hereby appointed to the position of Acting Detective/Sergeant in the Madison Police Department, effective June 23, 2015, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement pending a promotional examination process for the permanent position of Sergeant.

R 199-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JOSEPH MITTERMAIER TO THE POSITION OF CLASS II SPECIAL POLICE OFFICERS IN THE MADISON POLICE DEPARTMENT

**WHEREAS**, Article 34-1(f) of the Borough Code provides for the appointment of up to two Class II Special Police Officers; and

**WHEREAS**, the 2015 Police Operating budget contains funds for this purpose; and

**WHEREAS**, the Borough Council, after due consideration, has determined to appoint Joseph Mittermaier to the position of Class II Special Police Officer in the Madison Police Department effective June 23, 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Joseph Mittermaier is hereby appointed to the position of Class II Special Police Officer in the Madison Police Department, effective June 23, 2015, to be compensated at the rate of \$20.00 per hour.

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R 200-2015 RESOLUTION OF THE BOROUGH OF MADISON RESCINDING THE CONDITIONAL DESIGNATION OF RPM DEVELOPMENT, L.L.C. AS REDEVELOPER OF 28 WALNUT STREET (CIVIC CENTER SITE)  
*Considered earlier in the meeting*

R 201-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATION OF LIVERY OWNER'S LICENSE FOR ROSE CITY LIMO, INC. FOR 2015

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owner's License renewal be approved for the year 2015:

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicles</u>
15-20, 15-21	Ann Marie Davies Rose City Limo, Inc.	2 Liveries

R 202-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATION FOR LIVERY DRIVER'S PERMIT FOR ROSE CITY LIMO, INC. FOR 2015

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Driver's Permit be approved for the year 2015:

<u>2015 LICENSE NO.</u>	<u>DRIVER</u>
15-5D	Samuel Mantone

R 203-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR MADISON FIELD HOCKEY SIGN UPS

**WHEREAS**, the Madison Field Hockey Team has requested permission to put up temporary signs advertising the Madison Field Hockey Team sign ups; and

**WHEREAS**, the signs would be located at Niles Park, the Madison Train Station, Community House and such other sign locations as may be approved by the Recreation department, commencing on June 23, 2015 and removed by July 24, 2015; and

**WHEREAS**, the Borough Administrator has recommended that a temporary sign permit be issued.

**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

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Madison Field Hockey Team to put up temporary signs as described herein from June 23, 2015 to July 24, 2015, is approved.

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

On motion by Mrs. Vitale, seconded by Mr. Landrigan and carried, the following vouchers of the Borough of Madison were approved for payment, and the supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Public Safety	\$21,159.18
Health & Public Assistance	669.10
Public Works & Engineering	131,778.98
Community Affairs	10,929.35
Finance & Borough Clerk	580,051.67
Utilities	<u>772,829.45</u>
Total	<u>\$1,517,407.73</u>

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

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

Nays: None

Absent: Mr. Catalanello

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved July 13, 2015 (EO)