

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

June 25, 2012 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 25th day of June 2012. Mayor Conley called the meeting to order at 7 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Borough Clerk read the statement pursuant to the Open Public Meetings Act:

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 5, 2012. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Jeannie Tsukamoto
Vincent A. Esposito
Donald R. Links
Robert G. Catalanello
Robert Landrigan
Carmela Vitale

Also Present:

Raymond M. Codey, Borough Administrator
Elizabeth Osborne, Borough Clerk
Matthew Giacobbe, Acting Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mrs. Tsukamoto moved:

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

MINUTES FOR APPROVAL (1)

Executive Session Minutes of April 23, 2012

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

CONTRACT MATTERS (4)

ALARM MONITORING SYSTEM

WATER METER TESTING

ADULT SCHOOL LEASE

SUBSTATION TESTING AND MAINTENANCE

Regular Meeting Minutes – June 25, 2012

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

PERSONNEL MATTERS (3)
DIRECTOR SUMMER NATURE PROGRAM
BOARD OF HEALTH UPDATE
HOUSING OFFICER

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

LITIGATION MATTERS (3)
STOP & SHOP SUPERMARKETS, LLC
DEPARTMENT OF PUBLIC WORKS
RIDGEDALE AVENUE

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

Seconded: Dr. Esposito
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

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

APPROVAL OF MINUTES

Mrs. Tsukamoto moved approval of the **Executive Minutes of April 23, 2012**, as amended. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of March 26, 2012**, as amended. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

GREETINGS TO PUBLIC

Mayor Conley together with former Mayors Gary E. Ruckelshaus, John J. Dunne and Ellwood (Woody) R. Kerkeslager presented a Proclamation in memory of Borough Attorney Joseph Mezzacca, Jr. to his wife, Barbara; son, Jason and daughter-in-law Annette; and son, Marc.

*Proclamation
of the
Borough of Madison*

In Memory of JOSEPH MEZZACCA, JR., ESQ.

WHEREAS, Joseph Mezzacca served the Borough of Madison as Planning and Zoning Board Attorney under Mayors Elizabeth Baumgartner, Ralph Engelsman, and Donald Capen; and

WHEREAS, he was appointed Borough Attorney in 1996 by Mayor Gary Ruckelshaus; and

WHEREAS, Mr. Mezzacca continued to serve in the position of Borough Attorney providing counsel and guidance for Mayors Jack Dunne, Woody Kerkeslager, Mary-Anna Holden and current Mayor Robert Conley; and

WHEREAS, former Borough Clerks Esther Sebesto and Marilyn Schaefer, as well as current Borough Clerk Elizabeth Osborne, all worked closely with Mr. Mezzacca preparing resolutions and ordinances for the Council meetings; and

WHEREAS, Mayors, Council Members, Borough Clerks and fellow citizens of the Borough of Madison held Joseph Mezzacca in high esteem for his genuine sense of duty to the Borough's success; and

WHEREAS, Joseph Mezzacca loved Madison and captured the best of Madison's history, architecture and people through his high-quality photography; and

WHEREAS, Joseph Mezzacca's successful accomplishments on behalf of the Borough of Madison include creating a first-ever agreement with New Jersey Transit for a town to take over a New Jersey Transit parking facility, saving the "Luke Miller House" and successfully defending the Borough in the battle over the Exxon-Mobil property;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, extend condolences to the family of Borough Attorney Joseph Mezzacca, Jr. and express sincere gratitude and appreciation for his dedication, commitment and efforts on behalf of the residents of the Borough of Madison.

Robert H. Conley, Mayor

June 25, 2012

Mr. Mezzacca's family was also presented will be a chair, pewter box, Mr. Mezzacca's nameplate and roses for Mrs. Mezzacca.

Mr. Mezzacca's family present the Borough of Madison with a framed photo of the Hartley Dodge Memorial, taken by Mr. Mezzacca

Regular Meeting Minutes – June 25, 2012

Mayor Conley presented a Proclamation recognizing the military service of Second Class Petty Officer Dominic DeRosa.

***Proclamation
of the
Borough of Madison***

Recognizing

***MILITARY SERVICE OF
SECOND CLASS PETTY OFFICER DOMINIC DEROSA
JUNE 25, 2012***

WHEREAS, the Borough of Madison has always appreciated and honored the service of the men and women in the United States Armed Forces; and

WHEREAS, Second Class Petty Officer Dominic DeRosa who is the son of Borough employees Donna Carey and Fire Chief Louie DeRosa, joined the United States Navy in September of 2004; and

WHEREAS, Dominic has been deployed to Greece, Poland and most recently Fujairah for seven months; and

WHEREAS, last year, Borough employees generously contributed items such as canned foods, toiletries, paper products and baked goods for a total of 18 “care packages” that were mailed out to Dominic and his unit; and

WHEREAS, the Borough of Madison would like to thank Dominic for his service in the United States Navy and for serving the Borough as a volunteer firefighter; and

WHEREAS, the citizens of the Borough of Madison are grateful for the service of so many in our Armed Forces; and

WHEREAS, the Borough Council adopted Resolution 61-2012 pledging support for the New Jersey Employer Support Guard and Reserve Employment Initiative Program, which endeavors to find employment for returning veterans;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby extend gratitude and appreciation to Second Class Petty Officer Dominic DeRosa and members of the United States Armed Forces and honor their commitment to our country.

Robert H. Conley, Mayor
June 25, 2012

Regular Meeting Minutes – June 25, 2012

REPORTS OF COMMITTEES

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
Mrs. Tsukamoto report that the Madison Fire Department participated in the annual Day of Service sponsored by the Madison High School. Eight students participated in fire safety techniques and equipment maintenance along side firefighters. Fire Department personnel also participated in the Relay for Life on June 23rd. On Friday June 15th, Borough engine pumpers underwent required annual inspections and major issue was discovered with Engine #3. Repairs are now underway. The Police Department is continuing their efforts to improve safety at the Madison Junior School and later this evening there will be discussion on reducing the speed limit along Ridgedale Avenue.

Utilities

Dr. Esposito, Chair of the Committee, made the following comments:
Dr. Esposito announced that the annual drinking water quality report from 2011 had been mailed to residents. The drinking water report is favorable. Additional copies of the report are available in the Clerks office. A Nixle Report asking for curtailment of electric use was issue due to the recent hot weather. Residents can sign up for Nixle alerts on Rosenet.org.

Public Works and Engineering

Mr. Links, Chair of the Committee, no report.

Finance and Borough Clerk

Mr. Catalanello, Chair of the Committee, made the following comments:
Mr. Catalanello provided information regarding capital expenditures required at the Madison Chatham Joint Meeting. These improvements need to be completed in 2013/ 2014 and funding of these capital expenditures will need to be appropriated by October. Mr. Catalanello reported that work on the Park Avenue force main will begin next week and be completed by the end of the month.

Community Affairs

Mr. Landrigan, Chair of the Committee, made the following comments:
Mr. Landrigan reported that the Madison Arts and Cultural Alliance is exploring the possibility of an original play on the History of Madison along with Madison High School faculty and the Madison Historical Society. MAAC is also working with several performers to provide music monthly at the Farmers' Market. The first performance will be July 12th. The Downtown Development Commission is continuing work on the Farmer's Market as well as working on Bottle Hill Day, planned for October 6th. The Senior Citizen Advisory Committee provides great services to the Borough and is discussing additional van usage for the Farmers' Market. Anyone interested in volunteering to assist seniors with shopping at the Farmers' Market, please contact Laura Cole of the DDC.

Health & Public Assistance

Mrs. Vitale of the Committee made the following comments:
Mrs. Vitale reported that Senate Bill #1900 and Assembly Bill #2921 were released from committee and are scheduled to be voted on today. These bills increase distributions to municipalities from Energy Tax Receipts Property Tax Relief Fund over five years to restore aid reductions, to be used for property tax relief. Mrs. Vitale hopes to have additional information before the next Council meeting.

Regular Meeting Minutes – June 25, 2012

COMMUNICATIONS AND PETITIONS

The Borough Clerk read for the record the following email received Monday, June 25, 2012 from resident Roberta Mayerson regarding emergency electrical services.

'I would like to thank the crew of the emergency electrical team. A huge town tree limb fell on my power line in the Friday storm and pulled the line to within a few feet of the ground. The crew was prompt, reassuring and did a great job first thing Sat. morning. They also made sure that the limb was picked up first thing Monday. I am most appreciative of this vital service and of the men who came.'

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 about a proposed ordinance for a green house at the Madison community gardens and the purpose of the Community Garden Advisory Committee.

AGENDA DISCUSSIONS

06/25/2012-1 TOWN HALL MEETING SCHEDULE

Mayor Conley proposed informal town hall meetings to inform residents in more detail of topic such as capital projects and Borough owned utilities. Following discussion the dates of August 6th and October 1st were agreed upon.

06/25/2012-2 2011 MUNICIPAL AUDIT

Robert Kalafut, Chief Financial Officer provided receipt of the 2011 Audit for the Borough of Madison, including comments and recommendations regarding segregation of duties and a corrective action plan; these submittals are customary with an Annual Audit. Mr. Kalafut noted the requirement of the Council to certify that the recommendations and corrective action plan have been reviewed.

Resolution R 169-2012 listed for approval on the Consent Agenda.

06/25/2012-3 PROPOSED AMENDMENT TO THE UPPER DELAWARE, UPPER RARITAN AND NORTHEAST WATER QUALITY MANAGEMENT PLAN
There was no objection to listing a resolution on the consent agenda consenting to the proposed water quality management plan amendment requested by Morris County.

Resolution R 168-2012 listed for approval on the Consent Agenda.

06/25/2012-4 RIDGEDALE AVENUE SPEED LIMIT

Acting Borough Attorney Matthew Giacobbe explained that last year the speed limit on Ridgedale Avenue within the Borough was reduced to thirty (30) miles per hour, and present studies do not support reducing the speed limit to twenty-five (25) mph. Following discussion there was agreement that a request be made to New Jersey

Regular Meeting Minutes – June 25, 2012

Department of Transportation to reduce the speed limit. Mrs. Tsukamoto moved to authorize a letter of a request to NJDOT to reduce the speed limit on Ridgedale Avenue. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

06/25/2012-5 COMPLETE STREETS ADVISORY COMMITTEE

Mayor Conley announced the repackaging of the Traffic Calming Committee as the Complete Streets Advisory Committee, with the goal to look at all proposed roadway reconstruction projects and review for pedestrian and bicycle compatibility. Mayor Conley recommended membership consisting of the Mayor and Council liaisons to Public Safety and Engineering and Public Works as well as a Board of Education representative and up to two residents. Mrs. Tsukamoto suggested one resident be a representative of the business district. Mrs. Tsukamoto moved formation of the Complete Streets committee. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

06/25/2012-6 APPROPRIATE \$ 90,000 FROM OPEN SPACE TRUST FUND FOR GREEN HOUSE AT THE MADISON COMMUNITY GARDENS; ESTABLISH COMMUNITY GARDEN ADVISORY COMMITTEE

Mr. Catalanello explained the issue before Council is to advance funds from the Open Space fund in an effort to build an ADA compliant green house at the Madison Community Garden site. In a few months, the gardens have become successful. A green house would enable the Borough to hold classes and even provide classes for students from the High School. Mrs. Tsukamoto asked if this is a permissible uses for Open Space funds. Mr. Catalanello stated the balance of Open Space funds is approximately \$250,000.00 as of January 2013. Mrs. Tsukamoto also inquired about other passive recreational activities at the MRC site and possible expanding of the community gardens. Mrs. Vitale noted that grant funds should be used to replenish the Open Space fund if received. Mr. Catalanello suggested that a formal Community Garden Advisory Committee be formed, rather than a subcommittee of another committee. Following discussion there was agreement to list ordinances for introduction.

Ordinance 14 -2012 and Ordinance 16-2012 are listed for Introduction.

06/25/2012-7 APPROPRIATE \$ 50,000 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR EMERGENCY STORM SEWER REHABILITATION
Borough Engineer Robert Vogel provided information regarding an emergency appropriation required to repair a storm water culvert along the NJ Transit rail lines at 26 Crestwood Road. There was no objection to listing an ordinance for introduction.

Ordinance 15-2012 are listed for Introduction.

Regular Meeting Minutes – June 25, 2012

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 Wednesday, May 30, 2012, 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 8-2012
ORDINANCE OF THE BOROUGH OF MADISON AMENDING ORDINANCE 5-2008 SETTING SALARY RANGES FOR NON-UNION FULL-TIME EMPLOYEES TO INCLUDE SALARY RANGE AND TITLE FOR PURCHASING OFFICER**

WHEREAS, the Borough Council has determined to amend Ordinance 5-2008 setting salary ranges for non-union full-time employees to include salary range for “Purchasing Officer”.

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

Section 1. Ordinance 5-2008 setting the salary ranges for non-union full-time employees is hereby amended to include the following salary range and title:

TITLE	MINIMUM	MARKET VALUE	MAXIMUM
Purchasing officer	\$45,000.00	\$55,000.00	\$65,000.00

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

Mayor Conley opened up the public hearing on Ordinance 8-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 8-2012, which was read by title, be finally adopted. Mrs. Tsukamoto seconded the motion.

There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

Mayor Conley declared Ordinance 8-2012 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 9-2012

ORDINANCE OF THE BOROUGH OF MADISON AMENDING ORDINANCE 4-2011 TO INCREASE MAXIMUM SALARY FOR MAGISTRATE MUNICIPAL COURT AND INCREASE MAXIMUM HOURLY RATE FOR DEPUTY COURT ADMINISTRATOR

WHEREAS, the Borough Council has determined that a change is required in the salary ranges for non-union part-time employees to increase the maximum salary for the Magistrate Municipal Court and to increase the maximum hourly rate for the Deputy Court Administrator, Part-Time.

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

Section 1. Ordinance 4-2011 setting the salary ranges for non-union part-time employees is hereby amended to change the following salary ranges:

TITLE	MINIMUM	MAXIMUM
Deputy Court Administrator, Part-Time	\$21.75	\$28.00
Magistrate Municipal Court	\$16,377.00/yr	\$91,350.00/yr

Section 2. All other provisions of the Ordinance remain unchanged.

Section 3. This ordinance shall take effect as provided by law.

Mayor Conley opened up the public hearing on Ordinance 9-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 9-2012, which was read by title, be finally adopted. Mrs. Tsukamoto seconded the motion.

There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

Mayor Conley declared Ordinance 9-2012 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 10-2012
ORDINANCE OF THE BOROUGH OF MADISON AMENDING SECTION 155-18A
OF THE BOROUGH CODE ENTITLED “SEWER USE CHARGE”**

WHEREAS, the Chief Financial Officer has recommended that the sewer use charge for tax-exempt properties be imposed on any real property owner who has an executed Payment in Lieu of Taxes (PILOT)/Financial Agreement with the Borough of Madison pursuant to N.J.S.A. 40A:12A-1 et seq. and is connected with and serviced by the sanitary sewer system operated by the Borough of Madison; and

WHEREAS, the Borough Council has determined that there is a need to clarify what property owners are subject to the tax exempt sewer charge.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Chapter 155 of the Borough Code entitled “Sewers” shall be amended as follows:

SECTION 1:

§ 155-18 Sewer use charge established; rate; exception.

- A. Add: “Said charge shall also be applied to any real property subject to a Payment in Lieu of Taxes (PILOT)/Financial Agreement with the Borough of Madison pursuant to N.J.S.A. 40A:12A-1 et seq.

SECTION 2: All other provisions of the Ordinance not inconsistent herewith shall remain the same.

SECTION 3: This Ordinance shall take effect in accordance with the law.

Mayor Conley opened up the public hearing on Ordinance 10-2012. Since no member of the public wished to be heard, the public hearing was closed.

Dr. Esposito moved that Ordinance 10-2012, 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: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

Mayor Conley declared Ordinance 10-2012 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.

Regular Meeting Minutes – June 25, 2012

***ORDINANCE 11-2012**

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$20,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE OF LED LIGHT FIXTURES FOR THE COOK AVENUE PARKING LOT.

Hearing on Ordinance 11-2012 scheduled for Council meeting of July 9, 2012, at 8:00 p.m.

INVITATION FOR DISCUSSION (2 of 2)

Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record.

He/she shall limit his/her statement to three (3) minutes or less.

Don Brunner, Redmond Drive, asked about the status of a request by residents to reduce the speed limit along Ridgedale to 25 miles per hour.

Sam Cerciello, Park Avenue, asked when residents will hear the outcome of a suit filed against the Madison Police Department, accountability at the Madison Health Department and noted that he would like to be part of the Construction Review Committee. Acting Borough Attorney advised that the Mayor and Council should not discuss pending litigation matters.

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 9, 2012 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 12-2012 ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195-12A OF THE BOROUGH CODE ENTITLED "LAND USE" REGARDING TEMPORARY SIGN PERMIT TO ESTABLISH FEES

WHEREAS, the Land Use Administrative Official has recommended amendments to the Borough Code to establish certain fees for temporary sign permits.

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:

Regular Meeting Minutes – June 25, 2012

SECTION 1: Chapter 195-12A of the Code of the Borough of Madison, entitled “Fees” is hereby amended as follows to establish certain fees for temporary sign permits:

...

Type of Fee	Fee
Temporary signage – banner and signs Permit	\$ 50.00

....

SECTION 2: This ordinance shall take effect immediately and upon final passage and publication as required by law.

Mr. Links moved that Ordinance 12-2012, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

ORDINANCE 13-2012 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 94 APPENDIX A OF THE BOROUGH CODE ENTITLED
“ELECTRIC UTILITY” REGARDING NET METERING

WHEREAS, the Assistant Borough Administrator has recommended amendments to the Borough Code to establish a schedule of rates for customers who generate and feed electricity into the Borough of Madison electrical system.

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: Chapter 94 of the Code of the Borough of Madison, Appendix A, thereof entitled “SCHEDULE OF RATES FOR CUSTOMERS WHO GENERATE AND FEED ELECTRICITY INTO MADISON’S ELECTRICAL SYSTEM” is hereby amended as follows to establish a schedule of rates for net metering:

...
BOROUGH OF MADISON
SCHEDULE OF RATES FOR CUSTOMERS WHO
GENERATE AND FEED ELECTRICITY INTO
MADISON’S ELECTRICAL SYSTEM

Applicable to service classification RS – Residential Service:

Regular Meeting Minutes – June 25, 2012

A. An electric customer who obtains a permit from the Borough for installation of a system to generate and feed electricity to Madison's electrical system pursuant to §94-3 above, and in accordance with the Rules and Regulations of the Electric Utility Department of the Borough of Madison, shall pay for energy delivered at the same rate as others in the same customer class.

B. The Madison Borough Electric Department will:

1. Credit the self-generation customer for energy the Borough receives at the then current Energy Rate charged for 0 to 600 kWh for Classification RS – Residential Service. This credit will be applied against the next monthly bill. If the credit amount is greater than the bill the remaining credit will be carried forward.

2. Pay the customer for credit held at the end of the twelve-payment cycle (January through December) at the current purchase power rate, leaving no outstanding balance. The Borough shall make this payment no later than January 31st of the following year.

Applicable to other service classifications:

C. An electric customer who obtains a permit from the Borough for installation of a system to generate and feed electricity to Madison's electrical system pursuant to §94-3 above, and in accordance with the Rules and Regulations of the Electric Utility Department of the Borough of Madison, shall pay for energy delivered at the same rate as others and the same customer class.

D. The Madison Borough Electric Department will:

1. Credit the self-generation customer for energy the Borough receives at the same kWh rate Madison pays for purchased power. This credit will be applied against the next monthly bill. If the credit amount is greater than the bill the remaining credit will be carried forward.

2. Pay the customer for credit held at the end of the twelve-payment cycle (January through December) at the current purchase power rate, leaving no outstanding balance. The Borough shall make this payment no later than January 31st of the following year.

....

SECTION 2: This ordinance shall take effect immediately and upon final passage and publication as required by law.

Regular Meeting Minutes – June 25, 2012

Dr. Esposito moved that Ordinance 13-2012, 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: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

**ORDINANCE 14-2012 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$90,000.00 FOR THE PURCHASE OF AN ADA COMPLIANT
GREEN HOUSE AT THE MADISON COMMUNITY GARDENS**

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to purchase an Americans with Disabilities Act (ADA) compliant green house at the Madison Community Gardens; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$90,000.00 from the Madison Open Space Trust Fund for the purchase of the greenhouse; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$90,000.00 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 \$90,000.00 is hereby appropriated from the Madison Open Space Trust Fund for the purchase of an Americans with Disabilities Act (ADA) compliant greenhouse at the Madison Community Gardens.

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

Mr. Catalanello moved that Ordinance 14-2012, 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: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

**ORDINANCE 15-2012 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$50,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR EMERGENCY PURCHASE OF MATERIALS, EQUIPMENT AND
SERVICES FOR STORM SEWER REHABILITATION**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$50,000.00 from the General Capital Improvement Fund for emergency

Regular Meeting Minutes – June 25, 2012

purchasing of materials, equipment and services to repair damage to the storm sewer adjoining the railroad at Station 1400+00; 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 \$50,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$50,000.00 from the General Capital Improvement Fund for emergency purchasing of materials, equipment and services to repair damage to the storm sewer adjoining the railroad at Station 1400+00.

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 \$50,000.00 is hereby appropriated from the General Capital Improvement Fund for emergency purchasing of materials, equipment and services to repair damage to the storm sewer adjoining the railroad at Station 1400+00.

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. Links moved that Ordinance 15-2012, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan
Nays: None
Abstain: Mrs. Vitale

**ORDINANCE 16-2012 ORDINANCE OF THE BOROUGH OF MADISON
ESTABLISHING THE MADISON COMMUNITY GARDEN ADVISORY COMMITTEE**

WHEREAS, the Mayor and Council wish to make permanent the Madison Community Garden Advisory Committee; and

WHEREAS, the Council has determined that it is in the best interest of the Borough of Madison to establish such a committee.

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

Section 1: The Madison Borough Code is amended to include the following Chapter 27 entitled "Madison Community Garden Advisory Committee":

Chapter 27: Madison Community Garden Advisory Committee.
SS 27 -1. Establishment.

Regular Meeting Minutes – June 25, 2012

The Madison Community Garden Advisory Committee is hereby established to be known as “the Community Garden Advisory Committee of the Borough of Madison” (hereafter referred to as “the Committee”). The Committee shall consist of fifteen (15) members.

SS 27 -2. Purpose and Responsibilities.

- (A) To make recommendations to the Mayor and Council regarding the operations of the Madison Community Garden and any future activities of the Committee.
- (B) The Committee will provide education and outreach on community gardening to the community, all Borough Committees, Boards and Commissions, and the Mayor and Council.
- (C) The Committee will seek grants to achieve these goals.
- (D) The Committee will submit a report to the Mayor and Council at the end of each calendar year, concerning on-going activities and grants. In addition, the Committee shall regularly circulate to the Mayor and Council copies of its meeting minutes. All records, reports and data shall be available to the Council for inspection at any time.
- (E) The Committee will hold a minimum of four (4) public meetings annually which shall be open to the public pursuant to the Open Public Meetings Act and shall take place at the Madison Municipal Building unless otherwise noted.

SS 27 -3. Membership

Membership shall consist of 15 regular members. All members of the Committee shall be residents of the Borough of Madison. All members shall serve without compensation. The Committee shall be comprised of the following persons, appointed by the Mayor with the advice and consent of the Council:

- (A) One liaison member of the Council.
- (B) Fourteen (14) members who are residents of the Borough.

The Committee shall have the right to appoint non-voting advisory members with special abilities and expertise beneficial to the Committee’s objectives.

SS 27 -4. Quorum and Limitation of Powers.

- A. A majority of the voting members of the Committee shall constitute a quorum.
- B. The Committee is specifically prohibited from exercising any power of condemnation or eminent domain, from pledging the credit of the municipality and from creating any debt against the municipality.

SS 27 – 5. Borough Departmental Assistance.

- A. General. Subject to limitations as may hereinafter be determined by the Mayor and Council, insofar as may be practicable, the employees and professional staff of the Borough of Madison, including the Borough Attorney, shall be available to assist the Committee in the performance of its duties.
- B. Procedure. All requests for employee or professional staff assistance shall be made through the Borough Administrator. Any project that requires substantial assistance from the Borough staff and professionals shall be reviewed by the full Committee and said assistance shall be approved by the Council prior to commencement of the project.

SS 27-6. Terms of Office.

Regular Meeting Minutes – June 25, 2012

(A) The Council liaison shall serve annually.

(B) The fourteen (14) resident members shall serve for a term of three years (staggered terms). The terms of office shall commence upon the day of each member's appointment, unless otherwise specified at the time of appointment, and be for the initial respective periods of one, two, and three years (four members shall initially be appointed for one year, four members shall initially be appointed for two years and six members for three years). The term of each appointee shall be designated in his or her appointment. All subsequent appointments, except to fill vacancies, shall be for the full three-year term, to take effect on January 1 next succeeding such appointment.

(C) The Mayor shall, initially, designate one of the members as Chairperson, and the Committee shall select a Secretary to record minutes. Thereafter, in subsequent years, the Committee shall annually select a Chairperson and Secretary. The Chairperson shall call the initial meeting of the Committee within thirty (30) days of the adoption of this Ordinance. Thereafter, the Committee shall establish its meeting schedule, which shall be duly published.

SS 27 -7. Vacancies

Any vacancy occurring by reason of the death, resignation or removal of any member shall be filled for the unexpired term by the Mayor with advice and consent of the Council. In the event that the Mayor fails to make a nomination at least 15 days prior to the date of the second regular public meeting of the Council after a position becomes vacant or the Borough Council fails to confirm a nomination, then the appointment shall be made by the Borough Council by the vote of a majority of the members present at the meeting, provided that at least three affirmative votes shall be required, with the Mayor to have no vote thereon except in the case of a tie.

SS 27 – 8. Conflict of interest.

A. Disclosure of interest. No Committee Member shall have or shall acquire any interest, direct or indirect, personal or financial, in any project which the Committee is promoting or in any contract or proposed contract for materials or services or in any lease, mortgage, sale or contract of any nature whatsoever relating to any such project or to the Committee without forthwith making written disclosure to the Committee of the nature and extent of the interest. Such disclosure shall be entered in writing upon the minutes of the Committee.

B. Voting. No Committee Member having an interest as described in § SS 27-8A shall vote on matters directly relating to such interest.

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

Mr. Catalanello moved that Ordinance 16-2012, 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: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

Regular Meeting Minutes – June 25, 2012

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

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

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

Nays: None

R 166-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE AMERICAN DIABETES ASSOCIATION

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:

AMERICAN DIABETES ASSOCIATION
I.D. No. 56-4-37035
R.A. No. 1239 – On Premise
July 28, 2012

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

R 167-2012 RESOLUTION OF THE BOROUGH OF MADISON GRANTING PERMISSION FOR TWELFTH ANNUAL CHESHIRE HOME 5K RUN ON SUNDAY SEPTEMBER 16, 2012

WHEREAS, Cheshire Home, Inc., has requested permission to hold the Thirteenth Annual Cheshire Home 5k run in Madison on Sunday, September 16, 2012; and

WHEREAS, the run will begin at 9:00 a.m., at the Madison High School and end at Cheshire Home on a route approved by the Madison Borough Police Department; and

WHEREAS, Police Chief Trevena recommends approval of this 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 request of Cheshire Home, Inc., to hold the Thirteenth Annual Cheshire Home 5k run in Madison on Sunday, September 16, 2012, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department and the Madison Fire Department.

Regular Meeting Minutes – June 25, 2012

R 168-2012 RESOLUTION OF THE BOROUGH OF MADISON CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: FUTURE WASTEWATER SERVICE AREA MAP FOR MORRIS COUNTY PROPOSED AMENDMENT TO THE UPPER DELAWARE, UPPER RARITAN AND NORTHEAST WATER QUALITY MANAGEMENT PLAN (WQMP)

WHEREAS, the County of Morris desires to provide for the orderly development of wastewater facilities within Morris County, New Jersey; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating changes to the delineation of future wastewater service areas into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on June 18, 2012 for the Upper Delaware, Upper Raritan and Northeast WQM plan has been prepared by the County of Morris with the New Jersey Department of Environmental Protection and;

NOW, THEREFORE, BE IT RESOLVED on this 25th day of June, 2012, by the governing body of the Borough of Madison that:

1. The Borough of Madison hereby consents to the amendment entitled Future Wastewater Service Area Map for Morris County, Proposed Amendment to the Upper Delaware, Upper Raritan and Northeast Water Quality Management Plan (WQMP), and publicly noticed on June 18, 2012, prepared by the County of Morris with the New Jersey Department of Environmental Protection, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.
3. Copies of the consent shall also be sent to the Morris County Department of Planning & Development, PO Box 900, Morristown, NJ 07963-0900 and/or faxed 973-326-0925.

R 169-2012 RESOLUTION OF THE BOROUGH OF MADISON PERTAINING TO THE 2011 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements

Regular Meeting Minutes – June 25, 2012

of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled: "General Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: "General Comments and Recommendations" as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit their office.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Madison, County of Morris, State of New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Regular Meeting Minutes – June 25, 2012

R 170-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING FRIDAY EVENING DOWNTOWN CONCERT SERIES

WHEREAS, the Assistant Borough Administrator has recommended approval of the 2012 Summer Concert Series and authorization of closing Green Village Road in front of the Museum of Early Trades and Crafts; and

WHEREAS, the concert series started on June 22, 2012, and will continue on July 6, 2012, July 20, 2012, August 3, 2012, August 17, 2012, August 31, 2012, September 14, 2012, and September 28, 2012, with rain dates for each concert on the following Friday evening; and

WHEREAS, Green Village Road would be closed from 5:45 p.m. to 8:30 p.m. between Blue Ridge Mountain Sports and Chatham Bookseller, with access maintained to the Waverly Green parking lot; and

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

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

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

1. The 2012 Summer Concert Series is approved subject to the safety requirements of the Madison Police Department.
2. The Madison Police Department is authorized to close Green Village Road between Blue Ridge Mountain Sports and Chatham Bookseller from 5:45 p.m. to 8:30 p.m. on June 22, 2012, July 6, 2012, July 20, 2012, August 3, 2012, August 17, 2012, August 31, 2012, September 14, 2012, and September 28, 2012, with rain dates for each concert on the following Friday evening in conjunction with the 2012 Summer Concert Series.

R 171-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ENTER INTO A SETTLEMENT AGREEMENT AND CLAIM RELEASE WITH STOP & SHOP SUPERMARKET COMPANY, LLC

WHEREAS, the Borough of Madison has previously been named as a party in litigation entitled Stop & Shop Supermarket Company, LLC v. John Allocca and Saverio Allocca d/b/a Prospect Tavern; Prospect Tavern Beef & Ale, LLC Frances A. Mantone; the Planning Board of the Borough of Madison; the Mayor and Council

Regular Meeting Minutes – June 25, 2012

of the Borough of Madison; Russell Brown, in his capacity as Construction Officer for the Borough of Madison; Dan Buckelew, in his capacity as Zoning Officer for the Borough of Madison; Robert Vogel, in his capacity as Borough Engineer for the Borough of Madison ; XYZ Corporation and John Doe in the Superior Court of New Jersey, Law Division, Morris County, Docket No. MRSL-1373-08; and

WHEREAS, the parties have engaged in settlement discussions, and the Parties have reached an agreement with respect to the matters in dispute between them and to settle the claims in the Litigation and the Liquor License Appeals by the parties against one another; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris, State of New Jersey that the Mayor, Borough Clerk and all municipal defendants be authorized to execute a claim settlement agreement in a form as approved by the Acting Borough Attorney.

R 172-2012 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING VIVIAN GIL AND MARK PARKER TO THE SUMMER RECREATION DEPARTMENT POSITION OF CO-DIRECTOR, SUMMER NATURE PROGRAM (NATURE NUTS)

WHEREAS, the Assistant Borough Administrator has recommended appointment of Vivian Gil and Mark Parker to the part-time summer position of Nature Nuts Program as Co- Directors in the Recreation Department; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account 370-130, in the 2012 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 Vivian Gil and Mark Parker are hereby appointed to the part-time summer position of Nature Nuts Program Co-Directors in the Recreation Department effective June 26, 2012 at the rate of pay of \$1,442.00 per person for the summer program.

R 173-2012 Item removed and the # retired

R 174-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AMENDMENT TO LEASE WITH ADULT SCHOOL OF THE CHATHAMS, MADISON AND FLORHAM PARK

Regular Meeting Minutes – June 25, 2012

WHEREAS, Resolution 160-2010 authorized a lease for a portion of the Civic Center to the Adult School of the Chathams, Madison and Florham Park (“Adult School”); and

WHEREAS, the Adult School wishes to increase the leased premises to include the computer room on the second floor of the Civic Center; and

WHEREAS, the Adult School will renovate the existing computer lab to include the installation of updated computer equipment and repainting of the computer room at their sole expense; and

WHEREAS, the Borough Administrator has recommended amending the lease with the Adult School to provide premises on the second floor of the Civic Center to be used as a computer lab.

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 an Addendum to Lease Agreement with the Adult School of the Chathams, Madison and Florham Park providing that the leased premises shall be a portion of the second floor of the Civic Center to include the computer room with the understanding that the Adult School assume all expenses incurred by the proposed equipment upgrades and renovations.

R 175-2012 RESOLUTION OF THE BOROUGH OF MADISON RENEWING LIQUOR LICENSES IN THE BOROUGH OF MADISON FOR THE 2012-2013 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 2012 - 2013 license term be, and hereby are, approved:

CLUB LICENSES - FEE: \$180.00; July 1, 2012 through June 30, 2013

License #1417-31-022-001
North Star Athletic Club
95 North Street
Madison, NJ 07940

CONSUMPTION LICENSES – FEE \$2,386.00; July 1, 2012 through June 30, 2013

License #1417-33-018-009
U S Food and Beverage Corp.
Poor Herbies
13 Waverly Place
Madison, NJ 07940

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

License #1417-44-006-004
ANV Madison LLC
300 Main Street Unit 7A
Madison, NJ 07940

Regular Meeting Minutes – June 25, 2012

R 176-2012 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING THREE-YEAR CONTRACT TO AMERICAN ELECTRICAL TESTING
FOR TESTING AND MAINTENANCE OF KINGS ROAD AND JAMES PARK
SUBSTATIONS IN THE AMOUNT OF \$123,200.00

WHEREAS, the Borough of Madison publicly advertised for bids for testing and maintenance of the Kings Road and James Park electric substations for a period of three years (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the only qualified bid was submitted by American Electrical Testing in the amount of \$123,200; and

WHEREAS, the Electric Utility Superintendent has recommended that the Borough Council award the contract to American Electrical Testing in the amount of \$123,200.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in 2012 in an amount not to exceed \$41,068.00 for this purpose which funds are available in the Electric Department Operating Budget, Account 502, Subaccount 215; and

WHEREAS, the second and third years of the contract are expressly contingent upon adequate appropriation of funding for said purpose in the 2013 and 2014 municipal budgets.

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 testing and maintenance of the Kings Road and James Park electric substations for a period of three years is hereby awarded to American Electrical Testing as the lowest qualified bidder and based upon its bid in the amount of \$123,200.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with American Electrical Testing in a form acceptable to the Borough Attorney.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mrs. Tsukamoto seconded by Dr. Esposito 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	\$13,866.23
Health & Public Assistance	6,898.59

Regular Meeting Minutes – June 25, 2012

Public Works & Engineering	140,834.34
Community Affairs	1,814.31
Finance & Borough Clerk	354,057.58
Utilities	<u>1,445,119.92</u>
Total	<u>\$1,962,590.97</u>

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

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

Nays: None

NEW BUSINESS - None

ADJOURN

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

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved September 24, 2012 (EO)