

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

August 12, 2013 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 12th day of August, 2013. Mayor Conley called the meeting to order at 7 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 3, 2013. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Robert G. Catalanello

Carmela Vitale

Astri J. Baillie

Benjamin Wolkowitz

Absent: Jeannie Tsukamoto, excused

Robert Landrigan, 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)

June 24, 2013

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

CONTRACT MATTERS (5)

GVRS REDEVELOPMENT UPDATE

27 BELLEAU AVENUE

EI ASSOCIATES

Regular Meeting Minutes – August 12, 2013

GREEN AVENUE IMPROVEMENTS
MEMORIAL PLAQUE

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

PERSONNEL MATTERS (2)
POLICE DEPARTMENT PROMOTIONS
DPW LEADMAN

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

Seconded: Ms. Baillie
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.

Mayor Conley asked for a moment of silence for recently deceased former Councilman Donald Links.

Mayor Conley spoke about Councilman Links and asked Council members present to do the same.

Mayor Conley read the following Proclamation in memory of Don Links.

P r o c l a m a t i o n
of the
B o r o u g h o f M a d i s o n
In Memory of
DONALD LINKS

WHEREAS, Don Links faithfully served the Borough of Madison as a Council Member from January 1, 2010 through December 31, 2012; and

WHEREAS, during his term of office, he served on fourteen Boards and Commissions; and

WHEREAS, Councilman Links was devoted to expanding and enhancing all recreational sports programs throughout the Borough; and

WHEREAS, Councilman Links' successful accomplishments on behalf of the Borough of Madison include the development of two lighted artificial turf fields and a field house at the Madison Recreation Complex (MRC) to serve thousands of children and their families; and

WHEREAS, Don Links loved Madison and initiated the planning for a lightning detection system for all sports fields to protect participants and spectators; and

WHEREAS, Mayors, Council Members and fellow citizens held Councilman Links in high regard for his genuine sense of duty to the Borough of Madison;

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

Regular Meeting Minutes – August 12, 2013

APPROVAL OF MINUTES

Mrs. Vitale moved approval of the **Executive Minutes of June 24, 2013**. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

Mrs. Vitale moved approval of the **Regular Meeting Minutes of June 24, 2013**. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

EMPLOYEES OF THE MONTH FOR AUGUST:

Frank Ciampi, Dawn Allgeier and Angela Esposito of the Joint Municipal Court for the helpful, courteous and pleasant assistance extended to police personnel. Their nomination was submitted by a Chatham Township Police Department Sergeant.

ANNIVERSARY:

20TH Anniversary for Francine DeAngelis, the Tax Collector and Chief Accountant, on August 24th.

Mayor Conley shared a photo of Madison residents, the Crimmins Family, visiting the Mayor of Madison, Alabama, while on vacation.

Mayor Conley reminded residents to vote in the Special Primary Election for U. S. Senator to be held on August 13, 2013.

Mayor Conley noted that in the near future a long range Strategic Plan will be developed and that he will first work with a small group, outlining the planning process and come back to the Council with recommendations.

REPORTS OF COMMITTEES

Health

Mrs. Vitale of the Committee made the following comments:

Mrs. Vitale reported that a blood drive held by the Madison Health Department on Wednesday, July 30th was very successful and thanked those who participated. Mrs. Vitale noted that Seasonal Flu Clinics will be held on September 18th and September 27th and residents are encouraged to call the Health Department for an appointment. Mrs. Vitale noted that the Health Officer is very interested in working with public health interns and will utilize interns with the day to day operations of the department. Mrs. Vitale reporting for the Utilities liaison noted that the Water Utility continues work on the 2013 Water Main Replacement Program, including completing water main connections at Central Avenue and Ridgedale Avenue and

Regular Meeting Minutes – August 12, 2013

at the intersection of Burnet Road and Ridgedale Avenue. Well maintenance is also ongoing.

Utilities

Mrs. Tsukamoto, Chair of the Committee, absent, excused.

Public Works and Engineering

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

Mr. Catalanello reported that the Borough sports fields are ready for football, soccer and field hockey seasons. Mr. Catalanello noted that the Construction Review Committee met last week and progress is being made at the Borough pump stations. The Treadwell and West End stations require additional redesign work and work should be completed in 2014.

Community Affairs

Mr. Landrigan, Chair of the Committee, absent, excused.

Public Safety

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

Ms. Baillie reported that the Madison Police Department responded to 2593 calls for service in June including 24 motor vehicle accidents, 201 motor vehicle stops, issued 159 summonses and made 19 arrests. The Police Department staff also responded to 35 animal complaints and 28 utility complaints. Ms. Baillie reported that the Auxiliary Police worked more than 66.5 hours in June, including patrol at the Farmers' Market and a recent blood drive. The Volunteer Ambulance Corp., along with the Madison Police, responded to 71 medical emergencies. The Police Department has received two new patrol vehicles and advertised for a patrol officer. Sgt. John Miscia has been accepted into the Chief's Command and Leadership School. Ms. Baillie reporting for the Community Affairs liaison, noted that the Senior Citizen Center has reported an increase of 509 van riders, over last years ridership. The 2013 Summer Seminar series has concluded with record breaking attendance. The Friends of the Senior Citizens have agreed to subsidize the painting of the main room at the Senior Center. Ms. Baillie noted the passing of long time Senior Citizen Committee member Nancy Blank.

Finance and Borough Clerk

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

Mr. Wolkowitz reminded residents that the next meeting of the Mayor & Council will be held on Monday, September 9, 2013 at 8:00 p.m. Mr. Wolkowitz noted that the Borough has gone into the market, issuing \$4.15 million worth of bonds at a blended rate of 3.109%, which is below the target rate and long term is an attractive rate. Mr. Wolkowitz also noted that the 2014 municipal budget process has begun and any resident who has questions or concerns is encouraged to contact him. Mr. Wolkowitz noted that, regarding comments made at the July 22nd Council meeting, he attended the meeting electronically, as he has worked from the beginning of the year on the bond sale issue and wished to participate in the discussion as well as vote. Mr. Wolkowitz stated that there was no rush to the market as Council members had numerous discussions of the proposed bond sale for the last six months. Mr. Wolkowitz noted the suggestion to use money available in Fund Balance and explained that a change in financing strategy, at this date, would not be looked upon favorably by the markets or Standard & Poor's. Mr. Wolkowitz stated that there will be a change in the name of the Fund Balance account, to General Capital Fund Balance, for clarification. Mr. Wolkowitz also noted that the suggested use of electric utility surplus for capital spending is not recommended. Mr. Wolkowitz

Regular Meeting Minutes – August 12, 2013

noted that he has always been open and receptive to all points of view and feels it is not productive at this time to debate changes in financing strategies discussed over a period of time.

Mayor Conley reminded Council members that Committee Reports should be limited to reporting on activities regarding his or her area of responsibility.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email received July 24, 2013 from Suzanne McShane, Albright Circle regarding increased Nonconforming Activities.

Letter received July 29, 2013 from Elfriede Smith, Carteret Court regarding paving completed on Green Village Road.

Email received August 4, 2013 from Rachel Pascarella, Gibbons Place, regarding a garage being built at 67 Lathrop Avenue.

Mayor Conley asked Council to consider the following items out of order.

The Clerk made the following statement:

Ordinance 32-2013, scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on July 22, 2013, was introduced by title and passed on first reading, was published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinance 32-2013 for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 32-2013
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
34 OF THE BOROUGH CODE ENTITLED “POLICE DEPARTMENT” TO
REORGANIZE THE COMPOSITION OF THE POLICE DEPARTMENT**

WHEREAS, the Borough Administrator has recommended that Chapter 34 of the Borough Code entitled “Police Department” be amended to reorganize the composition and staffing of the Police Department; and

WHEREAS, the Borough Council agrees with this recommendation.

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 34 of the Borough Code entitled “Police Department” shall be amended as follows:

SECTION 1: Section 34-1 entitled “Department established, composition” is hereby amended to read as follows:

Section 34-1 Department established, composition

Regular Meeting Minutes – August 12, 2013

The Police Department of the Borough of Madison is hereby established and shall consist of the following ranks and shall not exceed the number of officers specifically established herein at each rank enumerated below:

- A. Chief of Police
- B. 1 Captain
- C. 2 Lieutenants
- D. 7 Sergeants
- E. 27 Police Officers
- F. 2 Class II Special Police Officers

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

Mayor Conley opened up the public hearing on Ordinance 32-2013. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 32-2013, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 32-2013 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

R 234-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF SERGEANT JAMES CAVEZZA IN THE MADISON POLICE DEPARTMENT EFFECTIVE AUGUST 12, 2013

WHEREAS, the Borough Council, after due consideration, has determined to appoint Police Officer James Cavezza to the position of Sergeant in the Madison Police Department effective August 13, 2013;

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 Cavezza is hereby appointed to the position of Sergeant in the Madison Police Department, effective August 13, 2013, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement.

Ms. Baillie moved adoption of the Resolution R 234-2013. Mrs. Vitale seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Regular Meeting Minutes – August 12, 2013

R 235-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF SERGEANT JOSEPH LONGO IN THE MADISON POLICE DEPARTMENT EFFECTIVE AUGUST 12, 2013

WHEREAS, the Borough Council, after due consideration, has determined to appoint Police Officer Joseph Longo to the position of Sergeant in the Madison Police Department effective August 13, 2013;

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 Longo is hereby appointed to the position of Sergeant in the Madison Police Department, effective August 13, 2013, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement.

Ms. Baillie moved adoption of the Resolution R 235-2013. Mrs. Vitale seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

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.**

Edward Rebolz, Woodland Road, raised concern regarding proposed Ordinance 38-2013, for improvements at the Police Impound Garage, noting competition to small businesses.

Sam Cerciello, Park Avenue, asked for clarification of several Resolutions listed on the Consent Agenda including R 232-2013 regarding a Shared Services agreement for the reconstruction of the East Street Parking Lot through local public bidding, and Resolution R 240-2013, authorizing the final payment and change order request from Top Line Construction Corp Inc. of Somerville, New Jersey, for the Rosedale Avenue Improvement project .

AGENDA DISCUSSIONS

08/12/2013-1 SENIOR CENTER POLICIES AND CODE OF CONDUCT
Mrs. Vitale provided explanation of a request from Senior Citizen Coordinator Edna Lerley-Byrne for Council review of policies and the code of conduct for the Madison Senior Center. There was agreement to list a resolution on the Consent Agenda.

Resolution R 139-2013 is listed on the Consent Agenda.

Regular Meeting Minutes – August 12, 2013

08/12/2013-2 Item Removed

08/12/2013-3 Item Removed

08/12/2013-4 NEW WATER AND SEWER CONNECTION FEE SCHEDULE

There was agreement to list ordinances for introduction to increase new water and sewer connection fee schedules as recommended by the Borough Auditor.

Ordinance 36-2013 and 37-2013 are listed for Introduction.

08/12/2013-5 2014 MERCHANT AND TENANT PARKING FEES

There was agreement to amend Chapter 134-10B of the Borough Code to reduce the merchant and tenant parking fees for 2014 from \$225.00 to \$150.00, to increase the number of permit applications.

Resolution R 142-2013 is listed on the Consent Agenda.

08/12/2013-6 APPROPRIATION OF \$25,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR IMPROVEMENTS TO THE POLICE DEPARTMENT IMPOUND GARAGE

Mr. Codey noted a request from Police Chief Darren Dachisen for an appropriation necessary to make improvements to the Police Impound Garage as required to secure evidence.

Ordinance 38-2013 is listed for Introduction.

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 July 22, 2013, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

**ORDINANCE 31-2013
ORDINANCE OF THE BOROUGH OF MADISON AMENDING
ORDINANCE 26-2013 APPROPRIATING \$250,000.00 FROM THE
MUNICIPAL OPEN SPACE TRUST FUND FOR REMEDIATION AND
SAFETY IMPROVEMENTS TO INCREASE THE APPROPRIATION FOR
THE BAYLEY ELLARD FIELDS FROM \$250,000.00 TO \$350,000.00**

WHEREAS, Ordinance 26-2013 of the Borough of Madison appropriated \$250,000.00 from the Municipal Open Space Trust Fund to improve the fields, complete the remediation and make safety improvements at the Bayley Ellard Fields; and

Regular Meeting Minutes – August 12, 2013

WHEREAS, the Borough Engineer has recommended that the Borough amend Ordinance 26-2013 to appropriate an additional \$100,000.00 from the Municipal Open Space Trust Fund thereby increasing Ordinance 26-2013 to \$350,000.00 to improve the fields, complete the remediation and make safety improvements at the Bayley Ellard Fields; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Municipal Open Space Trust Fund in an amount not to exceed \$350,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should amend Ordinance 26-2013 to appropriate an additional \$100,000.00 from the Municipal Open Space Trust Fund thereby increasing Ordinance 26-2013 to \$350,000.00 to improve the fields, complete the remediation and make safety improvements at the Bayley Ellard Fields.

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 26-2013 is hereby amended to appropriate an additional \$100,000.00 from the Municipal Open Space Trust Fund thereby increasing Ordinance 26-2013 to \$350,000.00 to improve the fields, complete the remediation and make safety improvements at the Bayley Ellard Fields.

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

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

Mayor Conley opened up the public hearing on Ordinance 31-2013. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 31-2013, which was read by title, be finally adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

Mayor Conley declared Ordinance 31-2013 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 32-2013
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
34 OF THE BOROUGH CODE ENTITLED “POLICE DEPARTMENT” TO
REORGANIZE THE COMPOSITION OF THE POLICE DEPARTMENT**

Regular Meeting Minutes – August 12, 2013

Approved at this Council meeting earlier

**ORDINANCE 33-2013
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$8,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST FUND FOR
REPAIRS THE COLE PARK FOUNTAIN**

WHEREAS, the Open Space Advisory Committee and Historic Preservation Committee have recommended that up to \$8,000.00 from the Municipal Open Space Trust Fund for repairs to prevent further deterioration to the historic Cole Park Fountain; and

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

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

SECTION 1: The amount of \$8,000.00 is hereby appropriated from the Municipal Open Space Trust Fund for repairs to prevent further deterioration to the historic Cole Park Fountain.

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

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

Mayor Conley opened up the public hearing on Ordinance 33-2013. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 33-2013, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

Mayor Conley declared Ordinance 33-2013 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

Mayor Conley left the Council meeting at 9:01 p.m. Council President Vitale presided over the meeting for the following item.

Regular Meeting Minutes – August 12, 2013

**ORDINANCE 34-2013
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$100,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
REPAIR OF THE EAST STREET PARKING LOT**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$100,000.00 from the General Capital Improvement Fund to repair the East Street parking lot including drainage, striping, signage, curbing and concrete work; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$100,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$100,000.00 from the General Capital Improvement Fund to repair the East Street parking lot including drainage, striping, signage, curbing and concrete work; and

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 \$100,000.00 is hereby appropriated from the General Capital Improvement Fund to repair the East Street parking lot including drainage, striping, signage, curbing and concrete work.

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

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

Council President Vitale opened up the public hearing on Ordinance 34-2013. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 34-2013, which was read by title, be finally adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

Council President Vitale declared Ordinance 34-2013 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

Mayor Conley returned at 9:05 p.m.

Regular Meeting Minutes – August 12, 2013

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.

Patrick Rowe, Pine Avenue, asked that the 2014 municipal budget include utility surplus as funding for capital projects.

Sam Cerciello, Park Avenue, noted the gum buster is working well and the train trestle on Elm Street looks good. Mr. Cerciello suggested the garbage cans along Main Street be cleaned. Mr. Cerciello also suggested that the walkway at the front of the Hartley Dodge Memorial is in need of repair.

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 September 9, 2013 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 35-2013 Item Removed and the # Retired

ORDINANCE 36-2013 ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 190 OF THE MADISON BOROUGH CODE ENTITLED "WATER" TO UPDATE THE WATER CONNECTION FEE SCHEDULE

WHEREAS, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 190 of the Madison Borough Code entitled "Water" to include an updated water connection fee schedule; and

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2012, and based on such study has recommended a water connection fee in the amount of \$2,945.00 for new customers during 2013; and

WHEREAS, such water connection fee is authorized by N.J.S.A. 40A:31-11 entitled "County and Municipal Water Supply".

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 – August 12, 2013

SECTION 1: Chapter 190-11.2 of the Madison Borough Code, currently entitled “Connection fee” is hereby amended as follows:

§190-11.2 Connection fee

There shall be a water connection fee established in accordance with N.J.S.A. 40A:31-11 in addition to the fees for department services set forth in Section 190-33. The water connection fee for the remainder of 2013 shall be:

- A. For single family dwelling units, \$2,945.00, and for multiple dwelling units, \$2,945.00 per unit.
- B. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 248 gallons or fraction thereof: \$2,945.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The water connection fee shall be payable in full to the Borough of Madison at the time a building water connection permit is issued for connection to the municipal water system by the Borough of Madison.

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

Ms. Baillie moved that Ordinance 36-2013, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

ORDINANCE 37-2013 ORDINANCE OF THE BOROUGH OF AMENDING CHAPTER 155 OF THE MADISON BOROUGH CODE ENTITLED “SEWER” TO UPDATE THE SEWER CONNECTION FEE SCHEDULE

WHEREAS, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 155 of the Madison Borough Code entitled “Sewer” to include an updated sewer connection fee schedule; and

Regular Meeting Minutes – August 12, 2013

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2012, and based on such study has recommended a sewer connection fee in the amount of \$4,775.00 for new customers during 2013; and

WHEREAS, such sewer connection fee is authorized by N.J.S.A. 40A:26A-11 entitled “Municipal and County Sewerage Facilities”.

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 155-4A of the Madison Borough Code, currently entitled “Connection expenses; responsibility for maintenance, repair and replacement of laterals” is hereby amended as follows:

§155-4 Connection fees; connection expenses; responsibility for maintenance, repair and replacement of laterals.

A. Sewer connection fees.

There shall be a basic connection fee established in accordance with N.J.S.A. 40A:26A-11. The fee for the remainder of 2013 shall be:

1. For single family dwelling units, \$4,775.00, and for multiple dwelling units, \$4,775.00 per unit.
2. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 265 gallons or fraction thereof: \$4,775.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The sewer connection fee is based upon the usage of a single dwelling unit or equivalent discharge. The sewer connection fee shall be payable in full to the Borough of Madison at the time a building sewer permit is issued for connection to the public sanitary sewer by the Borough of Madison.

Regular Meeting Minutes – August 12, 2013

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

Ms. Baillie moved that Ordinance 37-2013, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

**ORDINANCE 38-2013 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$25,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR IMPROVEMENTS TO THE POLICE DEPARTMENT IMPOUND
GARAGE**

WHEREAS, the Chief of Police has recommended that the Borough appropriate \$25,000.00 from the General Capital Improvement Fund for improvements to the Police Department Impound Garage; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in the General Capital Improvement Fund in an amount not to exceed \$25,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$25,000.00 from the General Capital Improvement Fund for improvements to the Police Department Impound Garage; and

WHEREAS, the Chief Financial Officer has certified that adequate funds are available for this purpose in the General Capital Improvement 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 \$25,000.00 is hereby appropriated from the General Capital Improvement Fund for improvements to the Police Department Impound Garage.

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

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

Ms. Baillie moved that Ordinance 38-2013, 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. Catalanello, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

Regular Meeting Minutes – August 12, 2013

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. Ms. Baillie seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

R 233-2013 RESOLUTION OF THE BOROUGH OF MADISON RECOGNIZING THE MADISON ARTS AND CULTURAL ALLIANCE AS THE CREATIVE TEAM FOR THE BOROUGH OF MADISON

WHEREAS, the Madison Arts & Culture Alliance (MACA) is a coalition of arts organizations, cultural institutions, neighbors, colleagues and friends dedicated to encouraging collaborations among the wide-ranging cultural offerings in "the Rose City"; and

WHEREAS, MACA coordinates many arts and culture programs including the Sidewalk Gallery, the Holiday Arts Festival, the Studio Tour and alike; and

WHEREAS, MACA provides a gateway for new cultural activities, facilitates new connections, strategic partnerships and creative collaborations between people and institutions; and

WHEREAS, MACA continues to support local business vitality, community spirit, tourism, civic pride, diversity, sustainability and creativity.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Madison, in the County of Morris, State of New Jersey hereby recognize MACA as an important community asset and "Creative Team" helping to guide the Borough of Madison in matters within and beyond the arts and culture sectors.

R 234-2013 *Approved at this Council meeting earlier*

R 235-2013 *Approved at this Council meeting earlier*

R 236-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPOINTMENT OF DOMINICK RENZULLI TO LEAD MAN/PARKS IN THE DEPARTMENT OF PUBLIC WORKS

Regular Meeting Minutes – August 12, 2013

WHEREAS, the Superintendent of Public Works has recommended that Dominick Renzulli be appointed to the position of Lead Man/Parks in the Department of Public Works; and

WHEREAS, the Madison Borough Council, after due consideration, has determined to appoint Dominick Renzulli to the position of Lead Man/Parks in the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Dominick Renzulli is hereby appointed to the position of Lead Man/Parks in the Department of Public Works retroactive to July 23, 2013.

R 237-2013 RESOLUTION OF THE BOROUGH OF MADISON DECLARING PROPERTY OWNED BY THE BOROUGH AT 27 BELLEAU AVENUE, (BLOCK 404, LOT 50) UNNECESSARY FOR PUBLIC USE, AUTHORIZING A PUBLIC AUCTION TO BE HELD ON OCTOBER 3, 2013 FOR THE SALE OF SAME AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT OF SALE AND ALL APPROPRIATE DOCUMENTS TO EFFECTUATE THE SALE OF THE AFOREMENTIONED PROPERTY

WHEREAS, the Borough of Madison is the owner of property known as known as 27 Belleau Avenue (Lot 50, Block 404); and

WHEREAS, under the provisions of N.J.S.A. 40A:12-13.1 the Borough has determined that the land is not needed for public use and has determined to sell same at public sale by sealed bids to the highest bidder; and

WHEREAS, the Clerk is authorized to advertise same in a newspaper circulating in the Borough by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale; and

WHEREAS, pursuant to law a public auction will be held on October 3, 2013 at 10:00 a.m. at the Court Room at Borough Hall of the Borough of Madison located at 50 Kings Road, Madison, NJ 07940 ; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey declares that the property is no longer needed for public use and directs same to be sold under the following terms and conditions:

1. The minimum bid price is set at \$ 250,000.00.
2. Each bid must be accompanied by a certified check in the amount of at least ten (10%) per cent of the bid.

Regular Meeting Minutes – August 12, 2013

3. The successful bidder will be required to enter into a contract of sale on the action date and to close title within thirty (30) days thereafter.
4. The property is to be sold “as is” and no conditional bids will be accepted.
5. The Borough reserves the right to reject all bids or accept the highest of those bids received.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor, and Borough Clerk are authorized to execute all appropriate documents necessary to effectuate a sale of the aforementioned property on the terms determined.

R 238-2013 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO EI ASSOCIATES , INC. FOR DESIGN SERVICES FOR THE HVAC REPLACEMENT AT THE MADISON PUBLIC LIBRARY IN THE AMOUNT OF \$21,000.00

WHEREAS, the Borough Engineer and Library Director have recommended that the Borough obtain professional design services from EI Associates, to provide design services for improvements to the Madison Public Library HVAC system; 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 determined and certified in writing that the value of this contract will exceed \$17,500.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the Contract to EI Associates, in an amount not to exceed \$21,000.00; and

WHEREAS, EI Associates, must submit to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter is being awarded without competitive bidding; and

WHEREAS, EI Associates, must complete and submit a Business Entity Disclosure Certification which certifies that EI Associates, has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit EI Associates, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$21,000.00 for this purpose in Ordinance 6-2013.

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

Regular Meeting Minutes – August 12, 2013

1. Ten days after receipt of the Business Entity Disclosure Certification and other required documents from EI Associates, the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with EI Associates, for professional design services to provide HVAC Engineering Services in an amount not to exceed \$21,000.00, such contract to be in a form approved by the Borough Attorney.

2. When received, the Business Entity Disclosure Certification, Political Contribution Disclosure Form and the Determination of Value shall be placed on file with this resolution.

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

R 239-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING THE MADISON SENIOR CENTER GENERAL POLICIES AND STANDARDS OF CONDUCT POLICY

WHEREAS, the Coordinator of the Senior Center has recommended that the Borough Council approve the General Policies and Standard of Conduct Policy for the Senior Center; and

WHEREAS, a copy of such policies is attached hereto; and

WHEREAS, the Council has determined to approve such policies which is in conformity with the requirements of the New Jersey statutes.

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 General Policies and Standard of Conduct Policy for the Senior Center is hereby approved on behalf of the Borough of Madison.

R 240-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING FINAL PAYMENT AND CHANGE ORDER REQUEST FROM TOP LINE CONSTRUCTION CORP INC. IN THE AMOUNT OF \$13,598.23 FOR THE ROSEDALE AVENUE IMPROVEMENT PROJECT

WHEREAS, a contract for the Rosedale Avenue Improvement project, in an amount not to exceed \$441,723.21 was awarded to Top Line Construction Corp Inc. of Somerville, New Jersey, by Resolution 111-2013; and

WHEREAS, the Borough Engineer has recommended approval of a change order to the contract for changes regarding unit quantities, which with previously approved change orders bring the authorized contract total to \$455,321.44; and

Regular Meeting Minutes – August 12, 2013

WHEREAS, the Borough Engineer has advised the project has been completed and has recommended approval of final payment including the change order to Top Line Construction Corp Inc. of Somerville, New Jersey in an amount not to exceed \$13,598.23; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$13,598. 23 for this purpose, which funds were appropriated by Ordinance 38-2012.

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 final payment and change order request from Top Line Construction Corp Inc. of Somerville, New Jersey, in the total amount not to exceed \$13,598.23 for the Rosedale Avenue Improvement project is authorized.

R 241-2013 RESOLUTION OF THE BOROUGH OF MADISON GRANTING PERMISSION FOR THIRTEENTH ANNUAL CHESHIRE HOME 5K RUN ON SUNDAY SEPTEMBER 22, 2013

WHEREAS, Cheshire Home, Inc., has requested permission to hold the fourteenth Annual Cheshire Home 5k run in Madison on Sunday, September 22, 2013; 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, Safety Officer Sgt. John Keymer 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 Fourteenth Annual Cheshire Home 5k run in Madison on Sunday, September 22, 2013, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department and the Madison Fire Department.

R 242-2013 RESOLUTION OF THE BOROUGH OF MADISON SETTING PARKING FEES FOR 2014

WHEREAS, the Police Chief has recommended the Borough adopt a resolution to reduce parking permit fees for merchant and tenant permits for the year 2014; and

Regular Meeting Minutes – August 12, 2013

WHEREAS, Section 134-10 B(5) of the Borough Code provides that such permit fees shall be established each year by resolution of the Borough Council upon the recommendation of the Police Chief; and

WHEREAS, the recommended fees are reduced from \$225.00 to \$150.00 for merchants and \$150.00 for tenants; and

WHEREAS, the Borough Council has reviewed said request for setting the recommended permit fees and determined that such requests should be granted.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the parking permit fees set forth in section 134-10 B(2) of the Borough Code are hereby set for the year 2014 as follows:

Merchant	\$150.00
Tenant	\$150.00

R 243-2013 RESOLUTION OF THE BOROUGH OF MADISON RENEWING LIQUOR LICENSE OF SILVER SEA ENTERPRISES, INC. IN THE BOROUGH OF MADISON FOR THE 2013-2014 LICENSE TERM

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following application for renewal of Liquor License for the 2013 - 2014 license term be, and hereby is, approved:

DISTRIBUTION LICENSE – FEE: \$1,798.00; July 1, 2013 through June 30, 2014
License #1417-44-003-006
Silver Sea Enterprises Inc.
Bottle Hill Wine & Spirits
26 Cook Plaza
Madison, NJ 07940

R 244-2103 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF MADISON PARKING LOT #1 ON SATURDAY, OCTOBER 19, 2013 BY THE ROTARY CLUB OF MADISON FOR A PUBLIC SHREDDING EVENT

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number one on Saturday, October 19, 2013, between the hours of 10:30 a.m. and 3:30 p.m. for a public shredding event; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; and

WHEREAS, the Rotary Club has submitted a Special Event Permit Application to the Borough as well as a Certificate of Liability Insurance naming the Borough of Madison as an additional insured; and

Regular Meeting Minutes – August 12, 2013

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 the Rotary Club of Madison is hereby given permission to hold a public shredding event at Madison public parking lot number one, on October 19, 2013, between the hours of 10:30 a.m. and 3:30 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 245-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY FIRST BAPTIST CHURCH OF MADISON

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

FIRST BAPTIST CHURCH OF MADISON
I.D. No. 274-1-26675
R.A. No. 1282 – Off Premise
October 5, 2013

R 246-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON VOLUNTEER AMBULANCE CORP INC.

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:

MADISON VOLUNTEER AMBULANCE CORP INC.
I.D. No. 274-10-31453
R.A. No. 1283 – Off Premise
November 29, 2013

R 247-2013 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO CIFELLI AND SON GENERAL CONSTRUCTION OF NUTLEY, NJ FOR THE GREEN AVENUE RECONSTRUCTION PROJECT

WHEREAS, the Borough of Madison publicly advertised for bids for the Green Avenue Reconstruction South Section project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the lowest qualified bid for the Base Bid was submitted by Cifelli and Son General Construction of Nutley, New Jersey in the amount of \$599,219.00; and

Regular Meeting Minutes – August 12, 2013

WHEREAS, the Borough Engineer has recommended that the Borough Council award the contract for the Base Bid to Cifelli and Son General Construction in the amount of \$599,219.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$630,000.00 for this purpose in Ordinance 18-2013; and

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 road reconstruction of Green Avenue, South Section, is hereby awarded to Cifelli and Son General Construction based upon its bid in the amount of \$599,219.00, subject to the additional review and recommendations of the New Jersey Department of Transportation (NJDOT).

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

R 248-2013 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 2013

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 \$25,000.00 from the Madison Main Street Foundation and wishes to amend its 2013 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 2013 in the sum of \$25,000.00, which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent

Regular Meeting Minutes – August 12, 2013

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 \$25,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 2.5% Caps

State and Federal programs Off-set by Revenues:

Downtown Development Commission-

Salaries & Wages \$ 5,000.00

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 249-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SIGNATURE ON GRANT AGREEMENT WITH THE MADISON MAIN STREET FOUNDATION

WHEREAS, the Assistant Borough Administrator has recommended that the Borough enter into a grant agreement with the Madison Main Street Foundation to fund certain Downtown Development Commission activities and for the improvement of the management of finances and staffing.

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 a grant agreement between the Borough of Madison as grantee and the Madison Main Street Foundation, as grantor, for a grant in the amount of \$25,000.00, in a form approved by the Borough Attorney, and hereby authorize the advertizing of a Part-time Office Assistant I position funded by the grant.

R 250-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY BPOE #1465 MADISON LODGE TO CONDUCT DAILY INSTANT RAFFLE GAMES, INCLUDING SUNDAYS

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

Regular Meeting Minutes – August 12, 2013

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 9, 2013 through September 9, 2014.

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. 1284, to be held as listed above, be and the same is hereby approved.

R 251-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MADISON RECREATION COMPLEX DEDICATION SITE AND IMPROVEMENTS

WHEREAS, the Madison Recreation Advisory Committee has requested approval to construct a memorial plaque at the Madison Recreation Complex, dedicated to the efforts of former Councilman Donald Links; and

WHEREAS, the Borough Attorney has opined that N.J.S.A. 40:67-17 provides that “the governing body may construct and maintain upon the public streets and places thereof, statues, monuments, tablets, fountains and memorials, commemorative of any person or public event; accept and maintain any statue, monument, tablet, fountain or memorial presented to the municipality, and contribute money toward the construction or maintenance thereof”; and

WHEREAS, the Borough Council wishes to authorize a contribution of landscaping, electrical services for lighting and perpetual care for the memorial plaque site, and the Recreation Advisory Committee has raised approximately \$2,000.00 in addition to in kind contributions to purchase a memorial plaque; and

WHEREAS, the Borough Administrator has advised the Council that resources are available for landscaping, electrical service for lighting and perpetual care of the memorial plaque site.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris in the State of New Jersey that construction of a memorial plaque dedicated to former Councilman Donald Links and a contribution of landscaping, electrical services for lighting and perpetual care are hereby authorized, and the Borough wishes to acknowledge all the generous contributions from private citizens and residents of Madison.

Regular Meeting Minutes – August 12, 2013

Mr. Catalanello asked for an opportunity to respond to comments made earlier by Mr. Wolkowitz. Mr. Giacobbe noted that the minutes of the July 22nd Council meeting are the official record and Mr. Catalanello's comments speak for themselves. Mr. Giacobbe advised that it is not productive to continue to debate.

Mayor Conley recused himself and left the dais.

Council President Vitale presided over the Council meeting regarding the following item.

Mrs. Vitale moved adoption of the Resolution R 232-2013. Ms. Baillie seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

R 232-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE MADISON YMCA FOR RECONSTRUCTION OF THE EAST STREET PARKING LOT

WHEREAS, the Madison YMCA and the Borough of Madison have agreed to enter into a Shared Services agreement for the reconstruction of the East Street Parking Lot through local public bidding, providing that the Madison YMCA will reimburse the Borough of Madison for a portion of the work, in the amount of eighty (80%) percent of the fixed costs of the project; and

WHEREAS, the Madison Borough Council has authorized the execution of said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Borough Administrator and Borough Clerk are authorized to enter into a Shared Services agreement with the Madison YMCA providing that the Madison YMCA shall reimburse the Borough of Madison eighty (80%) percent of the fixed costs of the project, for the reconstruction of the East Street Parking Lot, such agreement to be in a form approved by the Madison Borough Attorney.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mrs. Vitale, seconded by Ms. Baillie 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.

Regular Meeting Minutes – August 12, 2013

Public Safety	\$24,228.72
Health & Public Assistance	4,976.75
Public Works & Engineering	346,821.51
Community Affairs	4,750.67
Finance & Borough Clerk	5,373,074.87
Utilities	<u>1,791,024.46</u>
Total	<u>\$7,544,876.98</u>

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

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

Nays: None

Absent: Mrs. Tsukamoto, Mr. Landrigan

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved September 9, 2013 (EO)