

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

**September 9, 2013 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 9th day of September, 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  
Robert Landrigan  
Carmela Vitale  
Astri J. Baillie  
Benjamin Wolkowitz  
Vacancy

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)

July 22, 2013

August 12, 2013

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

CONTRACT MATTERS (3)

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IBEW

MADISON CHATHAM JOINT MEETING

TILCON NEW YORK, INC.

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

PERSONNEL MATTERS (3)

PART TIME OFFICE ASSISTANT 1- CLERK'S OFFICE

PER DIEM POLICE DISPATCHER

ZONING DEPARTMENT SUPPORT

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

LITIGATION MATTERS (2)

TAX APPEAL – 17-33 MADISON AVENUE

COLUMBIA/PARK INTERSECTION

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

POTENTIAL LITIGATION MATTERS (2)

HDM BOILER REPLACEMENT PROJECT

COLUMBIA/ PARK INTERSECTION

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

Seconded: Mr. Catalanello

Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

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

Mayor Conley asked for a moment of silence for recently departed Brooke Healy and Dr. Robert Bull.

**APPROVAL OF MINUTES**

Ms. Baillie moved approval of the **Executive Minutes of July 22, 2013**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of July 22, 2013**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Executive Minutes of August 12, 2013**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Abstain: Mr. Catalanello

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Ms. Baillie moved approval of the ***Regular Meeting Minutes of August 12, 2013***. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Abstain: Mr. Catalanello

### ***GREETINGS TO PUBLIC***

Mayor Conley noted the resignation of Councilwoman Jeannie Tsukamoto from the Council effective August 30, 2013.

Mayor Conley administered the Oath of Office to Sergeants James Cavezza and Joseph Longo, who were surrounded by their wives and families. There was a long round of applause. Mayor Conley recognized the dignitaries present to honor the newly appointed officers.

Senator Richard J. Codey, Assemblyman John F. McKeon and Assemblywoman Mila M. Jasey presented ceremonial checks in the amount of \$1,267,503 and \$325,000 representing Green Acres funding for the Madison Recreation Center.

Rotary of Madison members Ellsworth Haven and Rocco Iossa presented a check in the amount of \$ 3,839.23 for the Union Beach Summer Camp Initiative, raised at the recent Rotary Family Fun Festival.

Mayor Conley made the following comments:

Proclamation recognizing Constitution Week, September 17-23, 2013.

### ***Employees of the Month for September***

Connie Phillips and Kristy Manion of the Madison Police Administration for their innovative ideas to increase productivity and efficiency for the Records Department, as well as the Madison Police Department.

### ***REPORTS OF COMMITTEES***

#### ***Health***

Mrs. Vitale of the Committee made the following comments:

Mrs. Vitale reported that the Health Department will offer flu shots to residents at two clinics, on September 18<sup>th</sup> and 27<sup>th</sup>. The Health Department will also hold a rabies clinic. A rabies clinic is scheduled for December. Mrs. Vitale reminded residents of West Nile virus prevention and noted information of the Borough website. Mrs. Vitale reported for the Utility Departments. The Water Department has installed a new pump motor at Well C and new chlorine dispensing equipment. Monthly water testing is underway. Hydrant flushing begins today. The Electric Utility has installed new poles, transistors and electric service on Strickland Avenue and continues survey work at the substations.

#### ***Utilities***

Vacancy, Chair of the Committee, made the following comments:

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### **Public Works and Engineering**

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

Mr. Catalanello reported that once weekly garbage pick up will resume next week, and that work continues at the North Street pump station with new grinder installation. The Department of Public Works continues work on the sidewalks at the Cook Avenue Parking Lot and preparing sports fields for all fall sports.

### **Community Affairs**

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

Mr. Landrigan reported that repaving of the parking lot at the Civic Center is now completed and fall programs are underway. Bottle Hill day is scheduled for Saturday October 5<sup>th</sup> and will include the Mayor's Mad Dash, a foot race down Main Street against mascots from local Universities and Colleges. Mr. Landrigan also noted that the Farmers' Market continues on Thursdays until October and this Friday evening is the last of the Summer Concert series in front of the Museum of Early Trades & Crafts.

### **Public Safety**

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

Ms. Baillie reported that the first day of school occurred smoothly with many students walking to schools, as noted by the Police Department. Ms. Baillie noted that Project Community Pride is conducting an online survey regarding services and encouraged residents to visit a link to the survey on the Borough website.

### **Finance and Borough Clerk**

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

The Borough Clerk's office announces that the last day for residents not yet registered to be eligible to vote in the October 16<sup>th</sup> Special Election is Wednesday September 25, 2013. Voter registration forms and Applications for Vote by Mail ballots are available in the Borough Clerk's Office or online at [morriselections.org](http://morriselections.org). Mr. Wolkowitz noted that the 2014 budget process has begun and the IBEW Local Union #1298 has settled their contract. Mr. Wolkowitz noted that an additional municipality is interested in joining the Joint Municipal Court and more information will follow.

## **COMMUNICATIONS AND PETITIONS-none**

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

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

**Sam Cerciello, Park Avenue**, asked for clarification of Ordinance 39-2013 to appropriate funds for the reconstruction of a portion of Rt 124, Main Street due to a recent water main break and Resolution R 255-2013 regarding the withdrawal of tax appeals.

**Vivian James, Main Street**, Director of the Museum of Early Trades & Crafts, spoke in support of the Open Space Advisory Committee's quarterly report, noting that the Museum facility will require two million dollars in repairs.

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### **AGENDA DISCUSSIONS**

#### **09/09/2013-1 COUNCIL VACANCY PROCESS**

Mr. Giacobbe provided information regarding the statutory process for filling the Council vacancy, noting that the vacant term is through December 31, 2013.

#### **09/09/2013-2 OPEN SPACE TRUST FUND QUARTERLY REPORT**

Committee Chair Melissa Honohan provided a quarterly report of the activities of the Open Space Trust Committee including information regarding background of the Open Space referendum in 2004, the structure of the committee, activities in 2013 and the financial report for 2013 to date. Ms. Honohan noted that the ending balance as of September 9<sup>th</sup> is \$279,854.00. There was discussion regarding the MRC debt and refinancing and potential future projects. Mayor Conley noted that the Madison Athletic Foundation will make a presentation regarding fundraising at the first Council meeting in October.

#### **09/09/2013-3 Item removed**

#### **09/09/2013-4 AN ORDINANCE AMENDING CHAPTER 195-10(c)(1)(b) OF THE CODE OF THE BOROUGH OF MADISON TO REQUIRE NOTIFICATION TO PROPERTY OWNERS WITHIN 200FT FOR ANY PLANNING BOARD APPLICATION**

Ms. Baillie explained that currently, Chapter 195-10(C)(1)(B) of the Borough Code exempts minor subdivisions from notification and the proposed ordinance would require property owners to be noticed and allow for the opportunity to appear before the Planning Board.

Ordinance 40-2013 is listed for Introduction.

#### **09/09/2013-5 AN ORDINANCE AMENDING CHAPTER 195 TO PROVIDE VARIOUS ZONING BOARD OF ADJUSTMENT CHANGES**

Ms. Baillie noted that the Planning Board has reviewed the recommendations of the Zoning Board in their annual report and accepts the proposed ordinance regarding minor changes.

Ordinance 41-2013 is listed for Introduction.

#### **09/09/2013-6 AN ORDINANCE TO AMEND ORDINANCE 2-3013, APPROPRIATION OF \$165,000.00 FOR PURCHASE OF A NEW DIGGER/DERRICK TRUCK FOR THE ELECTRIC DEPARTMENT TO INCREASE THE AMOUNT OF THE APPROPRIATION \$60,000.00**

There were no objections to the request for additional funds for the purchase of a new digger/derrick truck for the Electric Department.

Ordinance 42-2013 is listed for Introduction.

#### **09/09/2013-7 APPROPRIATION OF \$125,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR REPAIRS TO THE WATER & LIGHT BUILDING**

There were no objections to Electric Utility Superintendant Michael Piano's request for improvements to the Water & Light building, and there was agreement to list Ordinance 43-2013 for introduction.

Ordinance 43-2013 is listed for Introduction.

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**09/09/2013-8** ALCOHOLIC BEVERAGE LICENSE TRANSFER – TAVERN AT MAIN CORP.

Mr. Codey noted a recent settlement and stated that all necessary paperwork and fees have been filed for renewal and transfer of the ABC license. There was agreement to list resolutions for approval.

Resolution R 257-2013 and R 258-2013 are listed on the Consent Agenda

**09/09/2013-9** APPROPRIATION OF \$29,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR REPAIRS TO THE ROOF FASCIAS AND SKYLIGHTS AT THE MADISON PUBLIC LIBRARY

Library Director Nancy Adamczyk provided information regarding the Library Trustees' recommendation for repairs to the Library roof fascias and skylights. There was no objection to listing an ordinance for introduction.

Ordinance 44-2013 is listed for Introduction.

**09/09/2013-10** APPROPRIATION OF \$40,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR RESURFACING OF A SECTION OF STATE HIGHWAY 124

There was agreement to list an ordinance to appropriate funds to repair damage to the road way caused by a recent water main break.

Ordinance 39-2013 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 August 12, 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 36-2013  
ORDINANCE OF THE BOROUGH OF 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

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**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:

**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.

Mayor Conley opened up the public hearing on Ordinance 36-2013. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 36-2013, which the Clerk 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, Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz  
Nays: None

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Mayor Conley declared Ordinance 36-2013 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 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

**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;

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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.

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

Mayor Conley opened up the public hearing on Ordinance 37-2013. Since no member of the public wished to be heard, the public hearing was closed.

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

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

Mayor Conley declared Ordinance 37-2013 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 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

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**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.

Mayor Conley opened up the public hearing on Ordinance 38-2013. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 38-2013, which the Clerk read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 38-2013 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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

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

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

***Sam Cerciello, Park Avenue***, asked for advice from the Borough Attorney regarding a recent meeting of the Madison Republican Committee to selection nominees for Council. Mr. Giacobbe noted that he can not advise residents.

***Carmen Pico, North Street***, raised concern regarding the condition of the sidewalks at the ball fields at the former Green Village Road School property.

***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 23, 2013 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance

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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 39-2013 ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$40,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR RESURFACING A SECTION OF STATE HIGHWAY 124 (MAIN STREET)

**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$40,000.00 from the Water Capital Improvement Fund for roadway resurfacing of a section of State Highway 124 (Main Street) damaged by a water main break; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in the Water Capital Improvement Fund in an amount not to exceed \$40,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$40,000.00 from the Water Capital Improvement Fund for roadway resurfacing of a section of State Highway 124 (Main Street) damaged by a water main break.

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

**SECTION 1:** The amount of \$40,000.00 is hereby appropriated from the Water Capital Improvement Fund for roadway resurfacing of a section of State Highway 124 (Main Street) damaged by a water main break.

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

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

Mr. Catalanello moved that Ordinance 39-2013, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 40-2013 ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195 OF THE BOROUGH CODE, LAND DEVELOPMENT ORDINANCE, REGARDING APPLICATION NOTIFICATION REQUIREMENT

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**WHEREAS**, the Planning Board has recommended amending Chapter 195 of the Borough Code, the Madison Land Development Ordinance, in regard to the requirement to notify property owners within 200 feet for any Planning Board application; and

**WHEREAS**, the Borough Council has considered the proposed amendment to the Madison Land Development Ordinance and wishes to amend the Code as recommended.

**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 195 of the Borough Code entitled “Madison Land Development Ordinance” shall be amended as follows:

**SECTION 1:** Section 195-10(C)(1)(B), entitled Notice of Applications:

REMOVE in its entirety:

*(b) Minor subdivisions pursuant to § 35 of N.J.S.A. 40:55D-47; or*

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

Ms. Baillie moved that Ordinance 40-2013, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 41-2013 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 195 OF THE BOROUGH CODE, ENTITLED “LAND  
DEVELOPMENT ORDINANCE” TO MAKE VARIOUS CHANGES TO IMPLEMENT  
RECOMMENDATIONS IN THE ANNUAL REPORT ADOPTED BY THE ZONING  
BOARD OF ADJUSTMENT

**WHEREAS**, the Zoning Board of Adjustment of the Borough of Madison adopted an annual report that presented recommendations for various amendments to Chapter 195 of the Borough Code, entitled “Land Development Ordinance”; and

**WHEREAS**, the recommended amendments as set forth in this Ordinance have been reviewed and favorably recommended to the Borough Council by the Planning Board of the Borough of Madison;

**NOW, THEREFORE**, be it resolved by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey, as follows:

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**SECTION 1:** The term “Building Coverage” in Section 195-7 is hereby amended (with deletions shown in brackets and additions underlined) to read as follows:

BUILDING COVERAGE - The horizontal plan projection of all covered or roofed areas of a structure on a lot, whether permanent or temporary, including cantilevered areas and similar projections, but excluding roof eaves, roof overhangs, bay or bow windows, [and] chimneys and similar projections extending [projecting] a maximum of two feet from the structure, unenclosed front porches (including wraparound porches extending along the side(s) of a structure) and entry roofs, divided by the lot area, expressed as a percentage. See Figure 2.

**SECTION 2:** Section 195-30.1(E) is hereby amended to add an additional sentence at the end to read as follows:

The foregoing established front setbacks shall also apply to existing buildings for the purpose of determining whether front setback variance relief is required for proposed additions.

**SECTION 3:** Schedule A provided for by Section 195-29.3 is hereby amended to modify note “n” to add an additional sentence at the end to read as follows:

In accordance with Section 195-30.6, in the case of a lot on which an existing structure is located, the minimum side setback may be reduced by 6 inches for every foot by which the lot width is less than the minimum, subject to a maximum reduction of 50% of the requirement for the zone.

**SECTION 4:** The definition of the term “Application for Development” in Section 195-7 is hereby amended (with deletions in brackets and additions underlined) to read as follows:

APPLICATION FOR DEVELOPMENT - The application form and all accompanying documents required by ordinance for approval of a subdivision plan, site plan, planned development, conditional use, zoning variance, appeal or interpretation request to the Board of Adjustment or request for [direction of] the issuance of a permit pursuant to this chapter.

**SECTION 5:** Section 195-30.1 is hereby amended to add a new Paragraph H at the end to read as follows:

H. Side and rear yards in residential zones. In all residential zones the area within 5 feet of all side and rear lot lines shall be free of

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all driveways, parking areas, walkways, decks, patios and other paved surfaces.

**SECTION 6:** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be judged invalid, such adjudication shall only apply to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 7:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistency.

**SECTION 8:** This Ordinance shall take effect after final passage and publication in accordance with law.

Ms. Baillie moved that Ordinance 41-2013, 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, Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz  
Nays: None

ORDINANCE 42-2013 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING ORDINANCE 2-2013 TO APPROPRIATE AN ADDITIONAL  
\$60,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR THE  
PURCHASE OF A NEW DIGGER/DERRICK TRUCK AND RELATED EQUIPMENT  
THEREBY INCREASING ORDINANCE 2-2013 TO \$225,000.00

**WHEREAS,** Ordinance 2-2013 of the Borough of Madison appropriated \$165,000.00 from the Electric Capital Improvement Fund for the purchase of a new digger/derrick truck and related equipment; and

**WHEREAS,** the Electric Utility Superintendent has recommended that the Borough amend Ordinance 2-2013 to appropriate an additional \$60,000.00 from the Electric Capital Improvement Fund thereby increasing Ordinance 2-2013 to \$225,000.00 to provide for additional costs due to newer emissions standards and equipment design specifications that have increased the estimated cost; and

**WHEREAS,** the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$60,000.00 for this purpose; and

**WHEREAS,** the Borough Council has determined that the Borough should amend Ordinance 2-2013 to appropriate an additional \$60,000.00 from the Electric Capital Improvement Fund thereby increasing Ordinance 2-2013 to \$225,000.00 to

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provide for the increased costs to purchase a new digger/derrick truck and related equipment.

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

**SECTION 1:** Ordinance 2-2013 is amended to appropriate \$60,000.00 from the Electric Capital Improvement Fund thereby increasing Ordinance 2-2013 to \$225,000.00 to provide for the increased costs.

**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.

Mrs. Vitale moved that Ordinance 42-2013, 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, Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

**ORDINANCE 43-2013 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$125,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT  
FUND FOR REPAIRS TO THE WATER & LIGHT BUILDING**

**WHEREAS,** the Electric Utility Superintendent has recommended that the Borough appropriate \$125,000.00 from the Electric Capital Improvement Fund for repairs to the exterior and interior of the Water & Light building; and

**WHEREAS,** the Chief Financial Officer has attested to the availability of funds in the Electric Capital Improvement Fund in an amount not to exceed \$125,000.00 for this purpose; and

**WHEREAS,** the Borough Council has determined that the Borough should appropriate \$125,000.00 from the Electric Capital Improvement Fund for repairs to the Water & Light building.

**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 \$125,000.00 is hereby appropriated from the Electric Capital Improvement Fund for repairs to the Water & Light building.

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

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

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Mrs. Vitale moved that Ordinance 43-2013, 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: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

**ORDINANCE 44-2013 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$29,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR REPAIRS TO THE PUBLIC LIBRARY ROOF**

**WHEREAS**, the Library Director has recommended that the Borough appropriate \$29,000.00 from the General Capital Improvement Fund for repairs to the concrete roof fascias and skylights and related work at the Madison Public Library; 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 \$29,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$29,000.00 from the General Capital Improvement Fund for repairs to the concrete roof fascias and skylights and related work at the Madison Public Library.

**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 \$29,000.00 is hereby appropriated from the General Capital Improvement Fund for repairs to the concrete roof fascias and skylights and related work at the Madison Public Library.

**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.

Mrs. Vitale moved that Ordinance 44-2013, 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, Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

**CONSENT AGENDA RESOLUTIONS**

**The Clerk made the following statement:**

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any

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

**R 252-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING COLLECTIVE BARGAINING AGREEMENT WITH THE IBEW LU 1298**

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

**WHEREAS**, the Borough was able to successfully negotiate a collective bargaining agreement with the IBEW Local No. 1298, which has been ratified by their members, for the period January 1, 2010 to December 31, 2013; and

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

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

1. The Mayor and Council approve the agreement for the above bargaining unit; and
2. The Mayor and Council hereby authorize the Borough Administrator, Raymond M. Codey and Mayor Robert H. Conley to execute the finalized collective bargaining agreement without further action being necessary; and
3. The Mayor and Council authorize Borough Administrator Raymond M. Codey to effectuate the collective bargaining agreement upon execution by all necessary parties.

**R 253-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ADVERTISEMENT FOR OFFICE ASSISTANT I, PART-TIME**

**WHEREAS**, the position of Office Assistant in the Borough Clerk’s Office is vacant and there is a need for additional assistance in the Clerk’s Office and for assistance to the Personnel Officer; and

**WHEREAS**, the Borough Clerk has recommended that the Borough advertise for an Office Assistant I, Part-Time for the Borough Clerk’s Office; and

**WHEREAS**, funds for this purpose are contained in the 2013 Municipal budget; and

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**WHEREAS**, the 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 Personnel Officer is authorized to advertise for an Office Assistant I, Part-Time for the Borough Clerk's Office.

R 254-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING THE HIRING OF MATTHEW BEHRE AS A PER DIEM DISPATCHER IN THE MADISON POLICE DEPARTMENT

**WHEREAS**, Police Chief Darren Dachisen has recommended that Matthew Behre be hired as an additional part-time, per diem dispatcher in the Police Department, to be compensated at a rate of \$22.50 per hour; and

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

**WHEREAS**, per diem dispatchers do not receive any health or pension benefits and are funded under the 2013 Police Department operating budget; and

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

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

R 255-2013 RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MADISON IN THE COUNTY OF MORRIS AUTHORIZING SETTLEMENT OF THE 2010, 2011 AND 2012 TAX APPEAL ENTITLED TOWNE GARDENS LLC V. BOROUGH OF MADISON, DOCKET NOS.: 008803-2010, 007113-2011, AND 009086-2012 OF THE TAX ASSESSMENT OF BLOCK 1301, LOT 15, KNOWN AS 17-33 MADISON AVENUE, IN THE BOROUGH OF MADISON, MORRIS COUNTY, NEW JERSEY

**WHEREAS**, an appeal of the real property tax assessment for tax years 2010, 2011 and 2012 involving Block 1301, Lot 15, has been filed by the Taxpayer, Towne Gardens, LLC; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

**WHEREAS**, settlement of said matter as more fully set forth below is in the best interest of the Borough of Madison.

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

1. Settlement of the 2010, 2011, and 2012 tax appeal is hereby authorized as follows:

17-33 Madison Avenue  
Block 1301, Lot 15

**Year: 2010, 2011, 2012**

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land: WITHDRAWN	\$1,600,000	N/A
Imprvts: WITHDRAWN	\$4,130,000	N/A
Total: WITHDRAWN	\$5,730,000	N/A

2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Borough Tax Appeal Attorney to enter into the Stipulation of Settlement as provided by Taxpayer.

R 256-2013 RESOLUTION OF THE MADISON BOROUGH COUNCIL  
AWARDING CONTRACT TO TILCON NEW YORK, INC. FOR THE SPORTS  
FIELDS PARKING LOT PROJECT

**WHEREAS**, the Borough of Madison publicly advertised for bids for the Sports Fields Parking Lot 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 Tilcon New York, Inc. of Wharton, New Jersey in the amount of \$281,820.00; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the contract for the Base Bid to Tilcon New York, Inc., in the amount of \$281,820.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$281,820.00 for this purpose in Ordinance 31-2013.

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

1. The contract for the Sports Fields Parking Lot, is hereby awarded to Tilcon New York, Inc., based upon its bid in the amount of \$281,820.00.

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2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract for said work.

R 257-2013 RESOLUTION OF THE BOROUGH OF MADISON RENEWING LIQUOR LICENSE OF GENESIS RESTAURANT GROUP, INC. IN THE BOROUGH OF MADISON FOR THE 2010-2011, 2011-2012, 2012-2013, 2013-2014 LICENSE TERMS

**WHEREAS**, a settlement has been reached between the stock holders of Genesis Restaurant Group, Inc., trading as Main Streets Café, 54 Main Street Madison, NJ 07940 and authorization to renew the license has been received from the New Jersey Division of Alcoholic Beverage Control; and

**WHEREAS**, the renewal applications have been filed, fees have been paid, and tax clearance certificates have been received in the Clerk's Office from Genesis Restaurant Group for renewal of ABC Consumption License #1417-33-011-008 for the 2010-2011, 2011-2012, 2012-2013, 2013-2014 License Terms.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the renewal applications for Genesis Restaurant Group, Inc., trading as Main Streets Café, 54 Main Street Madison, NJ 07940, for the 2010-2011, 2011-2012, 2012-2013, 2013-2014 license terms be, and hereby are approved.

R 258-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE #1417-33-011-008 FROM GENESIS RESTAURANT GROUP TO TAVERN AT MAIN CORP.

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1417-33-011-008, heretofore issued to Genesis Restaurant Group for premises located at 54 Main Street, Madison, New Jersey;

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.

**NOW, THEREFORE BE IT RESOLVED** that the Council of the Borough of Madison, in the County of Morris and State of New Jersey, does hereby approve,

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effective September 10, 2013, the transfer of the aforesaid Plenary Retail Consumption License to Tavern at Main Corp. and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Tavern at Main Corp., effective September 10, 2013.

R 259-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF THE HARTLEY DODGE MEMORIAL BY THE MADISON ARTS AND CULTURAL ALLIANCE AND DOWNTOWN DEVELOPMENT COMMISSION ON OCTOBER 18, 2013

**WHEREAS**, the Madison Arts and Cultural Alliance and Downtown Development Commission have requested permission to hold an Art Banner Gala on Friday, October 18, 2013, from 7:00 p.m. to 10:00 p.m., at the Hartley Dodge Memorial; and

**WHEREAS**, the Assistant Borough Administrator recommends that Council approve 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 Madison Arts and Cultural Alliance and Downtown Development Commission is hereby given permission to hold an Art Banner Gala at the Hartley Dodge Memorial, on Friday, October 18, 2013, from 7:00 p.m. to 10:00 p.m., conditioned upon a Certificate of Insurance naming the Borough of Madison as an additional insured in an amount satisfactory to the Chief Financial Officer being provided to the Borough Clerk prior to the event.

R 260-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE PRESBYTERIAN CHURCH OF MADISON TO HOST A PETTING ZOO ON SATURDAY, OCTOBER 5, 2013, BOTTLE HILL DAY

**WHEREAS**, the Mayor and Council of the Borough of Madison have authorized the Downtown Development Commission to hold an annual Bottle Hill Day celebration for the past thirty-seven years; and

**WHEREAS**, the Presbyterian Church of Madison wishes to host a petting zoo on the front lawn of the church property during Bottle Hill Day, October 5, 2013 from 11:00 a.m. to 4:00 p.m.; and

**WHEREAS**, the Madison Health Department has issued a temporary license required for the hosting of a petting zoo; and

**WHEREAS**, the Borough Council agrees that a petting zoo is a wonderful addition to the Bottle Hill Day activities.

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**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Presbyterian Church of Madison is hereby authorized to host a petting zoo on October 5, 2013 from 11:00 a.m. to 4:00 p.m.

R 261-2013 RESOLUTION OF THE BOROUGH OF MADISON GRANTING “TIE ONE ON” CAMPAIGN PERMISSION TO PUBLICIZE OCTOBER AS BREAST CANCER AWARENESS MONTH

**WHEREAS**, Gretchen Coviello on behalf of “Tie One On” Team ID# 6002517 has requested permission to decorate Waverly Place in pink colors from October 1, 2013, to October 31, 2013, in support of their “Tie One On” campaign to fight breast cancer and raise awareness during “Breast Cancer Awareness Month;” and

**WHEREAS**, the Borough Council has determined to grant this request.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request to decorate Waverly Place in pink colors from October 1, 2013, to October 31, 2013, in support of the “Tie One On” campaign to fight breast cancer and raise awareness during “Breast Cancer Awareness Month” is hereby approved with the understanding that the ribbons will be removed by organizers of the program no later than November 7, 2013.

R 262-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE HUDDLE, INC. D/B/A THE HUDDLE CLUB

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

**The Huddle Inc. d/b/a The Huddle Club  
I.D. No. 274-5-39130  
R.A. No. 1288 – Off premise  
December 14, 2013**

R 263-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY PTSO MADISON HIGH SCHOOL

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

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**PTSO MADISON HIGH SCHOOL  
I.D. No. 274-5-33795  
R.A. No. 1285– On Premise  
September 21, 2013  
September 28, 2013  
October 11, 2013  
October 26, 2013**

**PTSO MADISON HIGH SCHOOL  
I.D. No. 274-5-33795  
R.A. No. 1286 – Off Premise  
October 24, 2013**

**PTSO MADISON HIGH SCHOOL  
I.D. No. 274-5-33795  
R.A. No. 1287 – On Premise  
October 24, 2013**

R 264-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR FUNDING FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR REMEDIAL ACTIONS AT THE BAYLEY ELLARD FIELD

**WHEREAS**, the Borough owns property known as Bayley Ellard Field, Block 201, Lot 1.02, located at 211 Madison Avenue and Danforth Road (the “Property”), having purchased the Property in 2009 for recreational use; and

**WHEREAS**, the Borough has determined, subsequent to purchase of the Property, that there has been a discharge of hazardous substances on the Property; and

**WHEREAS**, the Borough applied for a grant from the New Jersey Department of Environmental Protection (hereafter NJDEP) on June 25, 2013 for funding from the Hazardous Discharge Site Remediation Fund for the Preliminary Assessment and Remedial Investigation previously conducted at the property to determine the extent or the existence of any hazardous substance; and

**WHEREAS**, the Borough plans to redevelop the Property so that it can be used for recreational purposes for which it was purchased and finds that a realistic opportunity exists for the redevelopment of the Bayley Ellard Field within a three year period upon completion of remediation; and

**WHEREAS**, the Borough will implement remedial actions so that the property can be redeveloped.

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**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, that the Borough is committed to the redevelopment of Bayley Ellard Field for the purpose of municipal recreational use and authorizes an application to the Hazardous Discharge Site Remediation Fund for the remediation of a discharge.

R 265-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY T J MARTELL FOUNDATION FOR LEUKEMIA, CANCER & AIDS RESEARCH INC. TO BE HELD AT POOR HERBIE'S RESTAURANT

**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, which raffles drawing is to be held at Poor Herbie's Restaurant, be and the same is hereby approved:

**T J MARTELL FOUNDATION FOR LEUKEMIA, CANCER & AIDS RESEARCH**  
**I.D. No. 732-5-38238**  
**R.A. No. 1289 – Off Premise**  
**December 12, 2013**

R 266-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY THE THURSDAY MORNING CLUB AND PTO MADISON JR. SCHOOL

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

**THURSDAY MORNING CLUB**  
**I.D. No. 274-8-12803**  
**R.A. No. 1290 – On Premise**  
**November 15, 16, 2013**

**R.A. No. 1291 – On Premise**  
**November 15, 16, 2013**

**PTO MADISON JR. SCHOOL**  
**I.D. No. 274-5-26391**  
**R.A. No. 1292**  
**December 18, 2013 – off-premise**

***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

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supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Public Safety	\$42,463.89
Health & Public Assistance	2,778.20
Public Works & Engineering	227,486.23
Community Affairs	7,707.07
Finance & Borough Clerk	3,371,331.06
Utilities	<u>2,025,984.93</u>
Total	<u>\$5,677,751.38</u>

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

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

Nays: None

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved September 23, 2013 (EO)