

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

**September 23, 2013 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 23rd 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:

Vacancy

Robert G. Catalanello

Robert Landrigan

Carmela Vitale

Astri J. Baillie

Benjamin Wolkowitz

Also Present:

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

Matthew J. Giacobbe, Esq. Borough Attorney

Raymond M. Codey, Borough Administrator, absent, excused

**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)

September 9, 2013

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

CONTRACT MATTERS (4)

ROYAL WAVE DEVELOPMENT

JOINT MUNICIPAL COURT EXPANSION

TEAMSTERS NEGOTIATIONS

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GREEN AVENUE INSPECTION SERVICES

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

PERSONNEL MATTERS (2)

MUNICIPAL COURT ADMINISTRATOR

PART-TIME OFFICE ASSISTANT

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

Seconded: Mr. Catalanello

Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

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

**APPROVAL OF MINUTES**

Ms. Baillie moved approval of the **Executive Minutes of September 9, 2013**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of September 9, 2013**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

**COUNCIL VACANCY**

Mayor Conley announced that the Chair of the Madison Republican Committee, which met according to law and followed the statutory process to fill a vacancy on the Council for the unexpired term of Jeannie Tsukamoto, submitted three names to the Mayor and Council for consideration to fill the unexpired term through Dec. 31, 2013. The nominees are Edward Rebholz, Patrick Rowe, and Martin Barbato.

Each candidate present was invited to the podium to give a brief statement to Council as to his candidacy. Mr. Rebholz provided an email which was distributed to Council members. Each expressed appreciation for being included on the list of proposed candidates to fill the unexpired term, and gave a brief background and qualification statement.

Ms. Baillie nominated former Council member Edward T. Rebholz, to serve as Council Member for the remainder of 2013. Mr. Wolkowitz seconds 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

**GREETING TO PUBLIC**

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Mayor Conley noted that the next Borough Council meeting will be held on Wednesday, October 16<sup>th</sup> due to the Columbus Day holiday.

Mayor Conley accepted a plaque from Eric Snider of the New Jersey Chapter of the American Planning Association certifying the Borough of Madison as a ‘Great Place in New Jersey’ for the intelligent design of Waverly and Lincoln Place.

Mayor Conley invited residents to Bottle Hill Day, scheduled for Saturday, October 5<sup>th</sup>.

### **REPORTS OF COMMITTEES**

#### **Health**

Mrs. Vitale of the Committee made the following comments:

The Madison Health Department will hold a flu vaccine clinic on September 29<sup>th</sup> from 9:00 a.m. until 11 a.m. as well as several additional flu clinics in other contract towns. Please call the Health Department for more information. October is National Breast Month and a Women’s Health screening will be held on October 28<sup>th</sup>. A food handler’s course was held today in Springfield with over 30 attendees. A Rabies clinic is scheduled for early December. Mrs. Vitale reported for the Utilities Department, noting that a large tree was removed from an area near the JCP&L feeder lines along Samson Avenue. Post lights have been replaced at the train station and new poles installed on Hillcrest Road. Mrs. Vitale noted a meeting with representatives from JCP&L regarding meter equipment repairs at the Kings Road substation to place this week and repairs are scheduled for this month.

#### **Utilities**

Vacancy, Chair of the Committee, no report.

#### **Public Works and Engineering**

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

The Green Avenue roadway improvements project is scheduled to begin this week. The water main replacement project on Ridgedale Avenue and Park Street continues through September 27<sup>th</sup> and residents are advised to avoid this area. Residents are also encouraged to sign up for Nixel alerts.

#### **Community Affairs**

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

Mr. Landrigan reported that members of the Senior Advisory Committee thanked the Mayor and Council and Borough Engineer for the repairs to the Civic Center parking lot. Improvements to the Bayley Ellard fields parking lot begin this week, and should be completed within two weeks. The Downtown Development Commission and Madison Arts and Cultural Alliance would like to invite residents to join them at the Sidewalk Gallery Gala and Auction on Friday evening, October 18<sup>th</sup> from 7:00 p.m. until 9:30 p.m.

#### **Public Safety**

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

The Madison Fire Department is still seeking new Volunteer members. Three newly appointed members have begun Phase 1 training at the Morris County Fire Academy. The 1921 Ahrens-Fox, Model P-4, fire engine, Geraldine, is now official owned by the Borough. The Police Department reports that 20 officers participated in several areas of training this month and the Auxiliary Police volunteered more than 37 hours including the Farmers’ Market and funeral detail. National Night Out

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was again a great success with over 800lbs of food collected for the Interfaith Food Pantry. Madison Police officers once again volunteered in a second Habitat for Humanity day at the Orchard Street home building site.

### **Finance and Borough Clerk**

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

Mr. Wolkowitz reported on the Borough financial status with regard to the 2013 budget noting that numbers are tracking close to the budget and liquidity has improved. Mr. Wolkowitz also noted two resolutions for consideration this evening. Resolution R 257-2013 will authorize the renewal of the Joint Municipal Court agreement beginning in January 2104 with Morris Township agreeing to participate with a saving of approximately \$80,000.00 for the Borough. Mr. Wolkowitz also noted Resolution R 276-2013, a shared service agreement for trash and recycling collection with the Board of Education.

### **COMMUNICATIONS AND PETITIONS**

E-mail received September 23, 2013 from Edward Rebholz, Woodland Road regarding his credentials as nominee for Council.

### **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.**

Since no member of the public wished to be heard, the invitation for discussion was closed.

### **AGENDA DISCUSSIONS**

#### **09/23/2013-1 UPDATE ON FEMA REIMBURSEMENT FOR SUPER STORM SANDY**

Mr. Landrigan provided an update on the current Federal Emergency Management Agency (FEMA) process and reimbursement for expenses incurred during Super storm Sandy. Mr. Landrigan noted that he has met with JCP&L personnel regarding feeder lines in Madison and will continue working with FEMA regarding reimbursements.

#### **09/23/2013-2 BEST PRACTICES WORKSHEET CY2013**

Chief Financial Officer Robert Kalafut explained the third year inventory of Best Practices required by the State of New Jersey, used to determine how much of each municipality's final 5% allocation of municipal aid will be disbursed. Mr. Kalafut noted several inventory questions and the requirement for certification by both the CFO and Borough Administrator. Filing deadline is on or before October 15, 2013.

#### **09/23/2013-3 POLICE DEPARTMENT ACCREDITATION**

There was no objection to Police Chief Darren Dachisen recommendation to authorize the accreditation program of the Police Department which is fully funded thorough the Joint Insurance fund.

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Resolution R 271-2013 is listed on the Consent Agenda.

**09/23/2013-4** RECREATION USER AND RENTAL FEE ORDINANCE  
There was discussion regarding a proposed ordinance to establish recreation user and field rental fees. There was consensus not to introduce an ordinance at this time. Mr. Giacobbe will research fees with regard to Green Acres funding and provide information at the next Council meeting.

**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 September 9, 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 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. Mayor Conley opened up the public hearing on Ordinance 39-2013.

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***Sam Cerciello, Park Avenue***, suggested a contractor currently working in the Borough may be able to resurface the roadway.

Since no other member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 39-2013, which was read by title, be finally adopted. Mr. Landrigan seconded the motion. There was no further 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 39-2013 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.

*HEARING FOR ORDINANCES 40-2013 AND 41-2013 SCHEDULED FOR OCTOBER 16, 2013*

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

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**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.

Mayor Conley opened up the public hearing on Ordinance 42-2013. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 42-2013, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no further 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 42-2013 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 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.

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

SECTION 3: This Ordinance shall take effect as provided by law. Mayor Conley opened up the public hearing on Ordinance 43-2013. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 43-2013, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no further 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 43-2013 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 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.

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Mayor Conley opened up the public hearing on Ordinance 44-2013. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 44-2013, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no further 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 44-2013 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.**

**Patrick Rowe, Pine Avenue**, raised concern regarding the proposed ordinance establishing recreation user fees and suggested that fees be used toward the debt for constructing the fields. Mr. Rowe suggested the Open Space fund be reduced by same amount collected and that the cost to re-turf the fields should be paid by those who use the fields.

**Don Brunner, Redmond Drive**, asked why there were no questions for the nominees to fill the Council vacancy and why Mr. Catalanello abstained from voting.

**Carmen Pico, North Street**, raised concern regarding property maintenance at a residence on North Street and asked for the status of a proposed noise ordinance.

**Sam Cerceillo, Park Avenue**, asked for an update on the sale of the former Green Village Road School property, suggesting that the Board of Education sell their offices located on Woodland Avenue and move into the Hartley Dodge Memorial.

**INTRODUCTION OF ORDINANCES - NONE**

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

Mrs. Vitale moved adoption of the Resolutions listed on the Consent Agenda. 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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**R 267-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTICIPATION IN THE JOINT MUNICIPAL COURT**

**WHEREAS**, the Borough of Chatham, the Township of Chatham, the Township of Harding and the Township of Morris have all indicated a desire to participate in a Joint Municipal Court agreement with the Borough of Madison for use of the court facilities at the Hartley Dodge Memorial at Kings Road in Madison effective January 1, 2014; and

**WHEREAS**, the Borough Administrator and Joint Court Administrator recommend that the Borough Council authorize entry into an agreement for the Joint Municipal Court; and

**WHEREAS**, the agreement is subject to the concurrence of the Assignment Judge, Superior Court of New Jersey, Morris County; and

**WHEREAS**, the Borough Council deems it appropriate to authorize entry into an agreement for a Joint Municipal Court with the Borough of Chatham, the Township of Chatham, the Township of Harding and the Township of Morris.

**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 is authorized to execute an agreement for a Joint Municipal Court as described herein and as reviewed and approved by the Assignment Judge of the Superior Court of New Jersey, Morris County.

**BE IT FURTHER RESOLVED**, that upon execution of the agreement, it shall be forwarded to the Assignment Judge together with a copy of the authorizing resolutions from the participating municipalities.

**R 268-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TENURE OF FRANK CIAMPI AS JOINT MUNICIPAL COURT ADMINISTRATOR**

**WHEREAS**, Frank Ciampi was appointed as Municipal Court Administrator effective September 23, 2008, in accordance with N.J.S.A. 2A:8-13.3 et seq., and has served the Municipal Court and residents of Madison with distinction; and

**WHEREAS**, the governing body recommends the approval of tenure for Frank Ciampi effective September 23, 2013 in accordance with N.J.S.A. 2A:8-13.3 et seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Frank Ciampi has attained tenure pursuant to N.J.S.A. 2A:8-13.3 et seq.

**R 269-2013 RESOLUTION OF THE MADISON BOROUGH COUNCIL AUTHORIZING SECOND AMENDMENT TO DEVELOPER'S AGREEMENT**

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BETWEEN THE BOROUGH OF MADISON AND ROYAL WAVE DEVELOPMENT, LLC FOR PREMISES AT BLOCK 1601, LOT 30 (FORMERLY LOTS 27, 28, 29, 30, 31 AND 32)

**WHEREAS**, Royal Wave Development, LLC is the owner of certain property in the Borough of Madison designated as Lot 30, Block 1601 on the current Tax Map of the Borough; and

**WHEREAS**, Royal Wave Development LLC has obtained from the Madison Planning Board preliminary and final site plan approval for construction of an approved development project by Resolution of the Madison Planning Board adopted February 23, 2011; and

**WHEREAS**, Royal Wave Development, LLC and the Borough of Madison entered into a Developer's Agreement dated July 29, 2011, and an amendment to the Agreement dated July 23, 2012; and

**WHEREAS**, Section 6 of the Agreement provides that the project improvements shall be substantially completed within twenty-four (24) months from the date that construction begins; and

**WHEREAS**, Royal Wave Development, LLC has requested an extension of time for the completion of the project improvements for an additional twenty four (24) months.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Madison, in the County of Morris in the State of New Jersey that the request for an extension of time of twenty four (24) additional months for completion of the project improvements is hereby approved.

R 270-2013 RESOLUTION OF THE BOROUGH OF MADISON GRANTING THE NEW JERSEY AFFILIATE OF "SUSAN G. KOMEN FOR THE CURE" PERMISSION TO PUBLICIZE OCTOBER AS BREAST CANCER AWARENESS MONTH

**WHEREAS**, the North Jersey Affiliate of "Susan G. Komen for the Cure Tie a Ribbon Campaign" has requested permission to tie hot pink ribbons on Borough street trees on the main streets of the Borough from October 1, 2013, to October 31, 2013, in support of their "Susan G. Komen for the Cure Tie a Ribbon 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 for ribbons to be

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tied on Borough street trees from October 1, 2013, to October 31, 2013, in support of the North Jersey Affiliate of “Susan G. Komen for the Cure Tie a Ribbon 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 8, 2013.

**R 271-2013 RESOLUTION OF THE MADISON BOROUGH COUNCIL AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE MORRIS COUNTY JOINT INSURANCE FUND FOR BASE ACCREDITATION SERVICES AND EXECUTION OF A GRANT AGREEMENT**

**WHEREAS**, the New Jersey Association of Chiefs of Police offer a program to obtain accreditation in order to attain the highest standards of police department management; and

**WHEREAS**, the Morris County Municipal Joint Insurance Fund is seeking to encourage police departments to pursue such excellence by providing a grant in the amount not to exceed \$50,000 to support the Borough of Madison Police Department’s efforts to attain accreditation from the New Jersey Chiefs of Police Association; and

**WHEREAS**, the Chief of Police is committed to taking necessary action in order to support the accreditation process.

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

1. The Mayor, Borough Administrator and Chief of Police are hereby authorized to enter into Grant Agreement with the Morris County Municipal Joint Insurance Fund for the receipt of funding not to exceed \$50,000 for the Police Accreditation Program
2. The Borough of Madison agrees to abide by the terms of the Grant Agreement, a copy of which is attached to this resolution, and attain certification within two years of the date of this agreement.
3. That certified copies of this resolution along with the signed Grant Agreement shall be forwarded to the Morris County Municipal Joint Insurance Fund and the Chief of Police for reference and action purposes.

**R 272-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AGREEMENT TO RENEW MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

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**WHEREAS**, the Borough of Madison is a member of the Morris County Municipal Joint Insurance Fund.; and

**WHEREAS**, said renewed membership terminates as of December 31, 2013, unless earlier renewed by agreement between the Municipality and the Fund; and

**WHEREAS**, the Municipality desires to renew said membership.

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

1. The Borough of Madison agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the By-laws, Rules and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body hereby authorizes the Mayor and Borough Clerk to execute the agreement to renew the membership agreement annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

R 273-2013 RESOLUTION OF THE BOROUGH OF MADISON RECOGNIZING SEPTEMBER AS 'GO GOLD MONTH' IN SUPPORT OF PEDIATRIC CANCER RESEARCH

**WHEREAS**, each September across our great nation we commemorate National Childhood Cancer Awareness Month; and

**WHEREAS**, childhood cancer spares no socioeconomic, ethnic, racial or geographic class and every year almost 13,000 children under the age of 21 are diagnosed with cancer; and

**WHEREAS**, although the causes of pediatric cancer are still largely unknown, statistics indicate that a quarter of those diagnosed will not survive the disease; and

**WHEREAS**, in the last 25 years only two drugs have been specifically developed for children's cancer, and during the last decade the funding for pediatric cancer has been going down with less than 5% of federal government's total funding for cancer research dedicated to pediatric cancer, and only 3% of funds raised on behalf of the National Cancer Institute scheduled to go directly to pediatric cancer research; and

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**WHEREAS**, in September we pay tribute to families, friends, professionals, and communities who lend their strength to children fighting pediatric cancer, we remember the young lives taken and dedicate our energies to combating pediatric cancer; and

**WHEREAS**, in 1997 gold was chosen as the ribbon color for universal awareness of pediatric cancer, with the objective of putting a spotlight on the types of cancer that affect children, survivorship issues, and the importance of raising funds for research and family support.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Madison, in the County of Morris in the State of New Jersey does hereby join the Frances Foundation in recognition of the need for increased pediatric cancer awareness by declaring the month of September as “September is Go Gold Month”.

R 274-2013 RESOLUTION OF THE BOROUGH OF MADISON IN SUPPORT OF A MUNICIPAL AID APPLICATION FY2014 TO RECONSTRUCT RIDGEDALE AVENUE

**WHEREAS**, the Borough Engineer has recommended that the Borough submit a 2014 Municipal Aid Application to the New Jersey Department of Transportation for the reconstruction of Ridgedale Avenue from Oxford Avenue to Central Avenue; and

**WHEREAS**, the Ridgedale Avenue Reconstruction Project will comprise reconstruction of a heavily used collector road, estimated to cost \$590,808.00 and for which funding in the amount of \$300,000.00 is being requested from the State of New Jersey Municipal Aid 2014 program; and

**WHEREAS**, the Borough Engineer has determined that the reconstruction is urgently needed due to current road conditions and the need for curb and drainage improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that the Council formally approves the grant application for the above stated purpose.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Madison Borough-00613 to the New Jersey Department of Transportation on behalf of the Borough of Madison.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Madison and that their signature constitutes acceptance of the terms and conditions of the grant

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agreement and approves the execution of the grant agreement.

**R 275-2013 RESOLUTION OF THE BOROUGH OF MADISON GRANTING PERMISSION TO COVIELLO BROTHERS, INC. TO DISPLAY HOLIDAY DECORATIONS**

**WHEREAS**, Coviello Brothers, Inc., has requested permission to display the “Great Pumpkin” decoration for Halloween and the “Santa Claus” decoration for the Christmas Holidays on its property at 245 Main Street, Madison, New Jersey; and

**WHEREAS**, the Borough Council may permit these displays pursuant to Section 195-34(A)(3) of the Madison Borough Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that permission is hereby granted to Coviello Brothers, Inc., to display the above described Halloween decoration for the period of October 5, 2013 to November 9, 2013, and to display the above described Christmas decoration for the period of November 23, 2013, through January 5, 2014, on its property located at 245 Main Street, Madison, New Jersey.

**R 276-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE MADISON BOARD OF EDUCATION TO PROVIDE GARBAGE AND RECYCLING COLLECTION AND DISPOSAL**

**WHEREAS**, the Board of Education and the Borough of Madison have agreed to enter into a Shared Services agreement for the collection and disposal of garbage and recycling from the Board of Education facilities, in exchange for courtesy use of Board of Education facilities for recreation and sports activities; and

**WHEREAS**, the Madison Borough Council has reviewed the proposed agreement; and

**WHEREAS**, the Madison Board of Education has agreed to cancel all outstanding charges for Borough use of Board of Education facilities.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into a Shared Services agreement with the Madison Board of Education for the collection and disposal of garbage and recycling from the Board of Education facilities, in exchange for courtesy use of Board of Education facilities, such agreement to be in a form approved by the Madison Borough Attorney.

**R 277-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING DREW UNIVERSITY TO HOST A FIREWORKS DISPLAY ON SATURDAY, OCTOBER 5, 2013**

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**WHEREAS**, the Director of Student Activities at Drew University has applied for permission to hold a fireworks display on Saturday, October 5, 2013, on the grounds of Drew University; and

**WHEREAS**, the Borough Council has determined that such permission should be granted subject to the following conditions:

1. The display shall be in compliance with all laws and regulations governing a fireworks display;
2. A permit must be obtained from the Fire Official of Madison ensuring all applicable Fire Code requirements are met;
3. Adequate police or security personnel shall be present for crowd control and to ensure the area surrounding the fireworks is secured from unauthorized public entry;
4. The Fire Department shall be present with adequate personnel to maintain a fire watch for the duration of the event;
5. The display shall terminate by 11:00 p.m.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the request by Drew University to hold a fireworks display on Saturday, October 5, 2013, is hereby granted and approved subject to the above noted conditions.

R 278-2013 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO DENNIS HARRINGTON OF MADISON, NJ FOR FIELD INSPECTIONS AND OVERSIGHT OF THE GREEN AVENUE RECONSTRUCTION PROJECT IN THE AMOUNT NOT TO EXCEED \$15,500.00

**WHEREAS**, the Borough Engineer has recommended that the Borough obtain professional services from Dennis Harrington, P.E., for field inspections and oversight of the 2013 Green Avenue Reconstruction project (hereinafter the "Contract"); and

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

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the Contract to Dennis Harrington, P.E. in an amount not to exceed \$15,500.00, for field inspections and oversight of the 2013 Green Avenue Reconstruction project; and

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**WHEREAS**, Dennis Harrington, P.E., must submit to the Borough Purchasing Officer 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**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$15,500.00 for this purpose, which funds were appropriated by Ordinance 18-2013.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract for professional services with Dennis Harrington, P.E., for field inspections and oversight of the 2013 Green Avenue Reconstruction project in an amount not to exceed \$15,500.00.

**BE IT FURTHER RESOLVED** that 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 279-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY WOMAN'S NATIONAL FARM & GARDEN ASSOCIATION INC. BEACON HILL BRANCH OF NJ

**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:

WOMAN'S NATIONAL FARM & GARDEN ASSOCIATION INC. BEACON HILL BRANCH OF NJ

I.D. No. 75-8-39302

R.A. No. 1293– On Premise

October 5, 2013

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

R 280-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EAGLE SCOUT PROJECT – BLUEBIRD HOUSES

**WHEREAS**, John Guiheen, a member of Boy Scout of America Troop 25 located in Madison, has offered to volunteer his services to build and install bluebird houses on Borough park property, working with the NJ Audubon Society and the Great Swamp National Wildlife Refuge, in support of his Eagle Scout project; and

**WHEREAS**, the Council wishes to approve such request.

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**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 volunteer services to build and install bluebird houses on Borough park property as described herein by John Guiheen is hereby approved, subject to any requirements of the Borough Superintendent of Public Works and any governmental approvals required.

**BE IT FURTHER RESOLVED** that prior to commencing any work, John Guiheen shall notify the Borough Superintendent of Public Works of the anticipated date of commencement.

R 281-2013 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING LAURA COLE TO THE POSITION OF OFFICE ASSISTANT, PART-TIME IN THE DEPARTMENT OF ADMINISTRATION

**WHEREAS**, the Chief Financial Officer and Assistant Borough Administrator recommend the appointment of Laura Cole, to the position of Office Assistant, Part-Time in the Department of Administration, upon satisfactory completion of a background check; and

**WHEREAS**, the Council agrees with this recommendation; and

**WHEREAS**, funds for the position for the remainder of 2013 were made available through a grant from the Madison Main Street Foundation.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Laura Cole is hereby appointed to the position of Office Assistant, Part-Time in the Department of Administration upon satisfactory completion of a background check, at an hourly rate of \$18.00 for 29 hours per week.

**BE IT FURTHER RESOLVED** that the offer letter to Laura Cole specifically states that the position is at will and employment beyond December 31, 2013 will be contingent on continued grant funding.

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

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

Public Safety	\$15,380.26
Health & Public Assistance	16,300.46
Public Works & Engineering	161,106.72
Community Affairs	6,593.71
Finance & Borough Clerk	405,839.59
Utilities	<u>206,532.44</u>
Total	<u>\$811,753.18</u>

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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***

Mayor Conley announced the following appointment and requests Council confirmation:

MAASA

***George Hayman***, Madison Avenue, Senior Citizen Committee Representative through December 31, 2015.

Mrs. Vitale moved the appointment to the Municipal Alliance Addressing Substance Abuse. 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

***ADJOURN***

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

Respectfully submitted,

Elizabeth Osborne

Borough Clerk

Approved October 16, 2013 (EO)