

Regular Meeting Minutes – September 24, 2012

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved December 10, 2012 (EO)

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Mr. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None

R 238-2012 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING THE FORMAL RETIREMENT NOTICE OF ACTING POLICE CHIEF JERALD MANTONE TO BE EFFECTIVE OCTOBER 5, 2012

WHEREAS, Acting Police Chief Jerald Mantone, by letter dated September 24, 2012, formally notified the Borough of his intention to retire from the Madison Police Department effective October 5, 2012 after 34 years of service with this terminal leave to commence on October 5, 2012 and end on August 3, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison in the County of Morris and State of New Jersey hereby accepts Acting Chief Mantone’s retirement notice with regret and acknowledges the designation of Lieutenant Darren Dachisen by Acting Chief Mantone to serve as the Officer in Charge in the absence of Acting Chief Mantone.

BE IT FURTHER RESOLVED that the permanent appointment of a Police Chief will be determined through a formal process to be adopted hereafter by ordinance.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

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

Public Safety	\$15,202.09
Health & Public Assistance	9,435.80
Public Works & Engineering	174,592.01
Community Affairs	10,254.08
Finance & Borough Clerk	37,364.32
Utilities	<u>1,579,685.14</u>
Total	<u>\$1,826,533.44</u>

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

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

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:55 p.m.

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R 236-2012 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 pink from October 1, 2012, to October 31, 2012, 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 from October 1, 2012, to October 31, 2012, 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, 2012.

R 237-2012 RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE PURCHASE OF MEDIUM LOAD INTERRUPTER SWITCHES AND AUTHORIZING REBID

WHEREAS, the Borough of Madison publicly advertised for bids for the Purchase of Medium Load Interrupter Switches for the Electric Utility Department in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, two bids were received, and publicly opened on August 23, 2012; and

WHEREAS, the Acting Borough Attorney has opined that both bids did not meet the requirements in the bid specifications and are non-responsive, and

WHEREAS, the Temporary Purchasing Officer has recommended that all bids be rejected pursuant to N.J.S.A. 40A:11-13.2(a) and rebid;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that all bids for the Purchase of Medium Load Interrupter Switches for the Electric Utility Department are hereby rejected for the reasons set forth herein and the Borough Administrator is authorized to solicit new bids.

Mrs. Tsukamoto moved adoption of the Resolution R 238-2012. Dr. Esposito seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,

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

WHEREAS, the Borough Engineer has determined and certified in writing that the value of this acquisition will not exceed \$17,500.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the Contract to CME Associates, in an amount not to exceed \$17,000.00; and

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

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

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$17,000.00 for this purpose in Ordinance 20-2012.

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. Ten days after receipt of the Business Entity Disclosure Certification and other required documents from CME Associates, the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with CME Associates for additional engineering and design services for the Treadwell Avenue Pump Station Improvements in an amount not to exceed \$17,000.00, such contract to be in a form approved by the Acting Borough Attorney.

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

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

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2. The Mayor and Borough Clerk are hereby authorized and directed, on behalf of the Borough, to enter into a contract to purchase a van with a wheelchair lift (Senior Citizen Van) in a form acceptable to the Acting Borough Attorney.

R 234-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AGREEMENT FOR MEDICAL AND DENTAL CLAIMS SERVICES WITH BROWN & BROWN METRO, INC.

WHEREAS, the Borough Administrator has recommended that a Broker Services Agreement effective October 1, 2012, be entered into with Brown & Brown Metro, Inc., to provide the Borough with group medical, prescription, life, dental, flexible spending accounts and health reimbursement accounts coverage from October 1, 2012 to September 30, 2013; and

WHEREAS, the Borough Council has determined to authorize the Broker Services Agreement from October 1, 2012 through September 30, 2013 in the amount of \$30,000.00; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in the 2012 Insurance Budget 210, account 514; and

WHEREAS, the portion of the contract extending into 2013 will be expressly contingent upon the 2013 municipal budget containing adequate funds for said purpose.

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 Borough shall enter into a written Broker Services Agreement with Brown & Brown Metro, Inc., to provide the services described herein, such agreement to be in a form approved by the Acting Borough Attorney.

2. The Mayor and Borough Clerk are authorized to execute such Broker Services Agreement.

R 235-2012 AWARDING CONTRACT TO CME ASSOCIATES FOR PROFESSIONAL SERVICES DESIGN WORK ON TREADWELL PUMP STATION IMPROVEMENTS IN THE AMOUNT OF \$17,000.00

WHEREAS, the Borough Engineer has recommended that design services for Improvements to the Treadwell Avenue Pump Station (hereinafter the "Contract"); and

WHEREAS, the Borough Engineer has recommended that the Borough obtain professional engineering services from CME Associates, for engineering and design services for the Treadwell Avenue Pump Station Improvements; and

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R 232-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO MADISON JUNIOR SCHOOL

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:

PTO MADISON JUNIOR SCHOOL

I.D. No. 274-5-26391

R.A. No. 1258 – Off Premise

December 20, 2012

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

R 233-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDDING CONTRACT TO WOLFINGTON BODY COMPANY, INC. IN THE AMOUNT OF \$65,925.00 FOR THE PURCHASE OF ONE (14) AMBULATORY or (12) + (2) WHEELCHAIR POSITION SENIOR CITIZEN VAN

WHEREAS, the Borough of Madison publicly advertised for bids to purchase a van with a wheelchair lift (Senior Citizen Van) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, two bids were received with the lowest bid made by Wolfington Body Company, Inc. in the amount of \$65,925.00; and

WHEREAS, the Borough Administrator and Acting Borough Attorney recommended that the contract for the purchase of the van with wheelchair lift (Senior Citizen Van) should be awarded to the lowest responsible bidder, Wolfington Body Company, Inc. in the amount of \$65,925.00; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds for this purpose in an amount not to exceed \$65,925.00 in the Jacob Henry Perkins Trust Fund.

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

1. A contract for the purchase of a van with a wheelchair lift (Senior Citizen Van) is hereby awarded to Wolfington Body Company, Inc, based on its bid in the amount of \$65,925.00

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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, 2012, to October 31, 2012, 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 tied on Borough street trees from October 1, 2012, to October 31, 2012, 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 7, 2012.

R 231-2012 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE SUBMISSION OF NJDOT TRANSPORTATION PROBLEM STATEMENTS FOR SPECIFIC LOCATIONS AFFECTING THE BOROUGH OF MADISON

WHEREAS, the governing body of Township of Morris has requests the support of surrounding communities in its desire that the New Jersey Department of Transportation conduct an investigation of regional transportation issues at the following problem intersections, Columbia Road and Park Avenue, Whippany Road and East Hanover Avenue, Madison Avenue and Normandy Parkway, Madison Avenue and Punchbowl Road, Madison Avenue and Kahn Road; and

WHEREAS, each of the above intersections are within the jurisdiction of the New Jersey Department of Transportation; and

WHEREAS, numerous studies have been completed and have identified issue at these problem intersections which will impact the traffic patterns in the Borough of Madison.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Borough of Madison hereby endorses and supports the submission by Morris Township of the New Jersey Department of Transportation Problem Statements for specific locations as listed above.

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

Mr. Links moved that Ordinance 31-2012, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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

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

R 229-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF BEST PRACTICES WORKSHEET AND CERTIFICATION FORM

WHEREAS, the Borough of Madison is required to complete a Best Practices Inventory and submit a Best Practices Worksheet and Certification Form to the New Jersey Division of Local Government Services no later than September 28, 2012, in order to qualify for 100% of state financial aid for 2012; and

WHEREAS, the Borough Administrator has recommended that the Chief Financial Officer and Borough Clerk be authorized to complete and submit the Best Practices Worksheet and Certification Form to the New Jersey Division of Local Government Services.

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 Chief Financial Officer and Borough Clerk are hereby authorized to complete and submit the Best Practices Worksheet and Certification Form to the New Jersey Division of Local Government Services by September 28, 2012.

R 230-2012 RESOLUTION OF THE BOROUGH OF MADISON GRANTING THE NEW JERSEY AFFILIATE OF "SUSAN G. KOMEN FOR THE CURE"

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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: The amount of \$40,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase upgrades to the mobile vision equipment used in Police vehicles.

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. Tsukamoto moved that Ordinance 30-2012, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 31-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$25,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR SIGNAL IMPROVEMENTS

WHEREAS, the Borough Engineer and Borough Utilities Superintendent have recommended that the Borough appropriate \$25,000.00 from the Electric Capital Improvement Fund for signal improvements at various locations where both estimates and installation are completed by a vendor designated by New Jersey State and Morris County contracts; 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 \$25,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$25,000.00 from the Electric Capital Improvement Fund for signal improvements at various locations.

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 signal improvements at various locations.

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

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H. No Person shall park a food vending vehicle or cart upon a public roadway or street within 250 feet of an existing Mobile Food Vendor licensee. The 250 feet referred to herein shall be measured in a normal way that a pedestrian would properly walk from one food vending vehicle to the other.

§ 139-9. Enforcement.

It shall be the duty of any police officer of the Borough of Madison to enforce provisions of this chapter and to require any person seen peddling or soliciting, who is not known by such officer to be duly licensed, to produce his peddler's or solicitor's license. Where applicable, the Health Department and/or Zoning Officer should assist the Police Department in enforcing the provisions of this chapter.

§ 139-17. Waiver.

The governing body may waive the requirements of this ordinance for vendors for Borough-sanctioned events.

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

Mr. Links moved that Ordinance 29-2012, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 30-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR IMPROVEMENT UPGRADES TO POLICE DEPARTMENT MOBIL VISION SYSTEM

WHEREAS, the Borough Administrator has recommended that the Borough appropriate \$40,000.00 from the General Capital Improvement Fund to purchase upgrades to the mobile vision equipment used in Police vehicles; and

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

WHEREAS, the Borough Council has determined that the Borough should appropriate \$40,000.00 from the General Capital Improvement Fund for upgrades to the mobile vision equipment used in Police vehicles.

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WHEREAS, the Borough Council agrees with said recommendations.

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 139 of the Borough Code entitled “Peddling and Soliciting” shall be amended as follows:

SECTION 1: Chapter 139 of the Code of the Borough of Madison, entitled “PEDDLING AND SOLICITING” is hereby amended as follows:

...

§ 139-4. Investigation; denial or issuance of license.

E. The Police Chief shall issue to each licensee at the time of the delivery of his license a badge which shall show the nature of the license in letters and figures easily discernible. Such badge must be worn constantly by the licensee in such a manner as to be readily visible when engaged in the activities herein. Upon issuance of said license and badge, each applicant shall pay to the Police Chief the sum of \$5 as a non-refundable badge fee.

F. No more than a total of 10 yearly licenses shall be issued; no more than one per person. No more than three yearly licenses shall be issued to mobile food vendors. On a first come first served basis, Peddlers and solicitors who are already licensed by the Borough shall have 10 days prior to the expiration date of the licenses to renew the same at the required fee. This right to renew shall not be assigned or transferred and shall be forfeited if not reviewed within the ten-day period prior to expiration.

§ 139-5. License fees.

C. For a yearly license: \$1,000 per year. All yearly licenses will expire on December 31st of each year.

§ 139-7. Geographic limitations.

B. Peddlers and solicitors may only park or stop for the purpose of conducting sales in the Central Business District No. 1 and Community Commercial district of the Borough; however, peddling and soliciting is not permitted within the median strip on Waverly Place.

G. Peddlers and solicitors must have their intended location approved by the Police Department and Zoning Officer prior to setting up operations. The Traffic Safety Officer will examine the site to determine if public safety is adversely affected by the location. The Zoning Officer will examine the site to determine compliance with all applicable Zoning Regulations as well as Geographic Limitations identified herein.

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

Mayor Conley declared Ordinance 28-2012 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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.

Lisa Ellis, Britten Avenue, noted that the Girls' Field Hockey team has paid user fees to the Madison Athletic Foundation for the past three years.

Don Brunner, Redmond Drive, asked to verify the date of the first meeting of the Mayor and Council in November, to be held November 5, 2012.

Sam Cerciello, Park Avenue, asked about schedule for viewing Council meetings on public television. Mr. Cerciello also inquired about pending lawsuits.

Carmen Pico, North Street, asked for explanation of proposed Ordinance 29-2012 regarding amendment to the Borough Code regarding Peddling and Soliciting.

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 October 10, 2012 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 29-2012

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 139 OF THE BOROUGH CODE ENTITLED "PEDDLING AND SOLICITING" TO INCLUDE APPROVAL OF ZONING PERMIT AND OTHER AMENDMENTS

WHEREAS, the Assistant Borough Administrator and the Zoning Official have recommended amendments to the Borough Code to include review and permit by the Zoning Official, license fee changes, modifications to the procedure for badge issuance, and changes to geographic locations; and

ORDINANCE 28-2012

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING
CHAPTER 134 ENTITLED “PARKING LOTS”**

WHEREAS, the governing body has recommended amendments to the Borough Code to include twenty (20) commuter spaces in the Maple Avenue Parking Lot at a the annual fee set by ordinance for commuter permits and twenty (20) additional spaces in the Kings Road Lot # 3 at a daily parking fee of \$5.00: and.

WHEREAS, the Borough Council wishes to implement said changes.

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 134 of the Borough Code entitled “Parking lots” shall be amended as follows:

SECTION 1: Chapter 134-6 of the Code of the Borough of Madison, entitled “Use Regulations for Individual Lots” is hereby amended as follows to add the following:

...
Section 5: § 134-6. Use regulations for individual lots.

....
E. Maple Avenue Lot. Parking is reserved for parking of vehicles owned by the Borough of Madison or owned by an officer, employee or person in the service of the borough. Appropriate borough identification shall be displayed by hanging it on the vehicle's rear view mirror. Specific temporary exceptions for public parking use may be granted by the Governing Body on a case by case basis. Twenty (20) marked spaces are designated for commuter parking by permit only.

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

Mayor Conley opened up the public hearing on Ordinance 28-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 28-2012, which the Borough Clerk read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$150,000.00 from the Water Capital Improvement Fund in order to complete several important small projects on the five year water capital plan; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$150,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$150,000.00 from the Water Capital Improvement Fund in order to complete several important small projects on the five year water capital plan.

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 \$150,000.00 is hereby appropriated from the Water Capital Improvement Fund for valve replacements, cap, demister repairs and cleaning, and replacement of parts for the chlorine feed disinfection system and alarm as well as installation of emergency back-up communications radio for the supervisor monitoring and control system and replacement of old level indicators.

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 26-2012.

Sam Cerciello, Park Avenue, asked how the amount requested in the introduced ordinance was calculated.

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

Mr. Links moved that Ordinance 26-2012, which the Borough 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: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

Mayor Conley declared Ordinance 26-2012 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

Ordinance 27-2012 was removed and the number retired.

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to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

SECTION 10 – INDEXING

The monetary thresholds of “Definitions” Section (d) and Section 1(c) of this ordinance shall be increased effective March 1 of each calendar year by the percentage increase, in the prior calendar year, of the consumer price index for all urban consumers (CPI-U) for the New York-Northern New Jersey-Long Island region, rounded to the nearest \$10.00. The Clerk of the Borough of Madison shall, by no later than April 1 of each calendar year, prepare and publish the revised thresholds on the official municipal website and in an official municipal newspaper.

SECTION 11 - REPEALER

All ordinances or parts of ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

SECTION 12 - EFFECTIVE DATE

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Mayor Conley opened up the public hearing on Ordinance 25-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 25-2012, which the Borough Clerk read by title, be finally adopted. Mrs. Tsukamoto seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 25-2012 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

ORDINANCE 26-2012

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$150,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR
SEVERAL SMALL PROJECTS ON THE FIVE YEAR CAPITAL PLAN**

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award of a contract, or any Borough of Madison or Morris County political committee or political party committee, or any PAC; (v) engaged or employed a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any Contribution, which if made or solicited by the professional Business Entity itself, would subject that entity to the restrictions of this Ordinance; (vi) funded contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engaged in any exchange of Contributions to circumvent the intent of this Ordinance; or (viii) directly or indirectly, through or by any other person or means, done any act which if done directly would subject that entity to the restrictions of this Ordinance.

- (b) Furthermore, any Business Entity that violates Section 7 (a) (i-viii) shall be disqualified from eligibility for future Borough of Madison contracts for a period of four (4) calendar years from the date of the violation.
- (c) Any person who knowingly, purposely, or recklessly violates any provision of this ordinance, or who conspires with another person to violate any provision of this ordinance, or who, with the purpose of promoting or facilitating a violation of this ordinance, solicits another person to commit it, or aids or agrees, or attempts to aid another person in planning or committing it, shall be subject to punishment including fines and/or imprisonment as fixed by law for violations of the ordinances of the Borough of Madison.

SECTION 8 - CITIZENS PRIVATE RIGHT OF ACTION

In addition to any rights that were heretofore available, or which may hereafter be available, to citizens, taxpayers, or associations, to challenge violations of this ordinance, every person aggrieved by a violation of the ordinance, or any taxpayer or resident of the Borough of Madison has the right, consistent with the Rules of Court, to file charges in a court of competent jurisdiction, and/or to pursue a civil action for a violation of this ordinance in a court of competent jurisdiction, and to seek and obtain declaratory, injunctive, or other legal or equitable relief, including but not limited to, attorneys fees and costs, arising from or related to a violation of this ordinance.

SECTION 9 - SEVERABILITY

If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance

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responsible for informing the governing body within ten (10) business days after receipt of said report from the Business Entity, or at the next Borough Council meeting following receipt of said report from the Business Entity, or whichever comes first.

- (c) The certification required under this subsection shall be made prior to entry into the contract or agreement with the Borough of Madison, or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

SECTION 5 - RETURN OF EXCESS CONTRIBUTIONS

A Business Entity that is a party to a contract for Professional Services or Extraordinary Unspecified Services may cure a violation of Section 1 of this Ordinance, if, within 30 days after the date on which the applicable ELEC report is published, said Business Entity notifies the municipality in writing and seeks and receives reimbursement of the Contribution from the recipient of such Contribution.

SECTION 6 - EXEMPTIONS

The contribution limitations prior to entering into a contract in Section 1(a) do not apply to contracts which (i) are awarded to the lowest responsible bidder after public advertising for bids and bidding therefor within the meaning of N.J.S.A. 40A:11-4, or (ii) are awarded in the case of emergency under N.J.S.A. 40A:11-6. There is no exemption for contracts awarded pursuant to a "Fair and Open Process" under N.J.S.A. 19:44A-20 et seq.

SECTION 7 - PENALTY

- (a) It shall be a material breach of the terms of a Borough of Madison agreement or contract for Professional Services or Extraordinary Unspecified Services when a Business Entity that is a party to such agreement or contract has: (i) made or solicited a Contribution in violation of this Ordinance; (ii) knowingly concealed or misrepresented a Contribution given or received; (iii) made or solicited Contributions through intermediaries for the purpose of concealing or misrepresenting the source of the Contribution; (iv) made or solicited any Contribution on the condition or with the agreement that it will be re-contributed to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Borough of Madison, or a holder of public office having ultimate responsibility for the

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appropriation from the Mayor or Governing body, or (ii) the Mayor of the Borough of Madison, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

- (e) Rules regarding subcontractors. No person may be awarded a subcontract to perform under a contract subject to this Ordinance, if the subcontractor would be disqualified by paragraph (a) from receiving the contract at the time that the subcontract is awarded. Nor may any person who would be disqualified by paragraph (a) from receiving the contract perform substantially all of obligations described in a contract for professional or extraordinary services that is subject to this ordinance.

SECTION 2 - CONTRIBUTIONS MADE PRIOR TO THE EFFECTIVE DATE

No Contribution or solicitation of contributions made prior to the effective date of this Ordinance shall be deemed to give rise to a violation of this Ordinance.

SECTION 3 - CONTRACT RENEWAL

No contract subject to this ordinance may be renewed, extended, or materially modified unless the resulting renewal, extension, or modification would be allowable under the provisions of this ordinance if it were an initial contract.

SECTION 4 - CONTRIBUTION STATEMENT BY BUSINESS ENTITY

- (a) Prior to awarding any contract or agreement to procure Professional Services" or Extraordinary Unspecified Services" from any Business Entity, the Borough of Madison or its purchasing agents and departments, as the case may be, shall receive a sworn statement from said Business Entity which is the intended recipient of said contract that he/she/it has not made a Contribution in violation of Section 1 of this Ordinance. The Borough of Madison, its purchasing agents and departments shall be responsible for informing the Borough Council that the aforementioned sworn statement has been received and that the Business Entity is not in violation of this ordinance, prior to awarding the contract or agreement.
- (b) A Business Entity shall have a continuing duty to report to the Borough of Madison any Contributions that constitute a violation of this act that are made during the negotiation, proposal process or the duration of a contract. The Borough of Madison, its purchasing agents and departments shall be

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- (b) No Business Entity who submits a proposal for, enters into negotiations for, or agrees to any contract or agreement with the Borough of Madison or any of its departments or instrumentalities, for the rendition of Professional Services or Extraordinary Unspecified Services shall knowingly solicit or make any Contribution, to (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Borough of Madison, or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Madison or Morris County political committee or political party committee, or (iii) any PAC between the time of first communication between that Business Entity and the municipality regarding a specific agreement for Professional Services or Extraordinary Unspecified Services, and the later of the termination of negotiations or rejection of any proposal, or the completion of the performance or specified time period of that contract or agreement.
- (c) The monetary thresholds of this Ordinance are: (i) a maximum of \$300 per calendar year each for any purpose to any candidate or candidate committee for mayor or governing body, or \$500 per calendar year to any joint candidates committee for mayor or governing body, or \$300 per calendar year to a political committee or political party committee of the Borough of Madison; (ii) \$500 maximum per calendar year to a Morris County political committee or political party committee; and (iii) \$500 maximum per calendar year to any PAC. However, for each Business Entity party to a contract for Professional or Extraordinary Unspecified Services as defined in subparagraph (a), or engaged in negotiations for a contract defined in subparagraph (a), when such Business Entity's Contribution is aggregated with all "persons" defined in subparagraph (d) of "Definitions" above, by virtue of their affiliation to that Business Entity party, a maximum of \$2,500 to all Borough of Madison candidates, candidate committees, joint candidate committees, and holders of public office having ultimate responsibility for the award of a contract, all Borough of Madison or Morris County political committees and political party committees as described herein combined, without violating subsection (a) of this section.
- (d) For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be (i) the Borough of Madison Mayor or Governing body, if the contract requires approval or

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right to receive, from a person described in subparagraph (i) above, more than \$100,000.00 in compensation or income of any kind (including, by way of illustration, and not limitation: wages, salaries, sums paid to independent contractors, benefits, dividends, profit-sharing, pension contributions, deferred contributions, stock, stock options or gifts), in any twelve (12) month period prior to the award of, or during the term of, a contract subject to this ordinance; and (vi) all persons who are an "affiliate" of a Business Entity as defined in sections (i), (ii) and (v) above, as such term is used in 11 U.S.C. 101(2).

SECTION 1 – PROHIBITION ON AWARDING PUBLIC CONTRACTS TO CERTAIN CONTRIBUTORS

- (a) To the extent that it is not inconsistent with state or federal law, the Borough of Madison and any of its departments, instrumentalities or purchasing agents shall not enter into any agreement or otherwise contract to procure "professional services" as such term is defined at N.J.S.A. 40A:11-2(6) and used at N.J.S.A. 40A:11-5(1)(a)(i) and/or banking, insurance or other consulting service (hereinafter "Professional Services"), nor "extraordinary unspecified services" as such term is defined at N.J.S.A. 40A:11-2(7) and used at N.J.S.A. 40A:11-5(1)(a)(ii) and/or media, public relations, lobbying, parking garage management or other consulting and/or management service (hereinafter "Extraordinary Unspecified Services") from any Business Entity if such Business Entity has solicited or made any Contribution to (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in the Borough of Madison or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Madison or Morris County political committee or political party committee, or (iii) to any continuing political committee or political action committee that regularly engages in the support of Borough of Madison municipal or Morris County elections and/or Borough of Madison municipal or Morris County candidates, candidate committees, joint candidate committees, political committees, political parties, political party committees, (hereinafter "PAC"), in excess of the thresholds specified in subsection (g) within one calendar year immediately preceding the date of the contract or agreement.

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

DEFINITIONS

As used in this ordinance:

- (a) “Campaign Committee” means (i) every candidate for Borough of Madison elective municipal office; (ii) every candidate committee established by or for the benefit of a candidate for Borough of Madison elective municipal office; (iii) every joint candidate committee established in whole or in part by or for the benefit of a candidate for *Borough of Madison* elective municipal office; (iv) every political party committee of the Borough of Madison; (v) every political party committee of Morris County; and (vi) every political committee, continuing political action committee, or other form of association or organization that regularly engages in the support of candidates for the Borough of Madison municipal or Morris County elective offices or Borough of Madison municipal or Morris County political parties or political party committees. The terms in the foregoing paragraph have the meaning prescribed in N.J.A.C. 19:25-1.7.
- (b) “Contribution” has the meaning prescribed in N.J.A.C. 19:25-1.7. By way of illustration, and not limitation, this definition includes pledges, loans, and in-kind contributions.
- (c) A “contract for professional or extraordinary services” means all contracts for “professional services” and “extraordinary unspecifiable services” as such term is used in N.J.S.A. 40A:11-5.
- (d) For purposes of this Ordinance, a “Business Entity” whose contributions are regulated by this ordinance means: (i) an individual including the individual’s spouse, and any child/children; (ii) a firm; corporation; professional corporation; partnership; limited liability company; organization; association; and any other manner and kind of business entity; (iii) any person who owns 10% or more of the equity or ownership or income interests in a person or entity as defined in sections (i) and (ii) above and their spouses and child/children; (iv) all partners or officers of such an entity, in the aggregate, and their spouses and child/children; (v) any person, subcontractor, subsidiary, corporation, firm, partnership, limited liability company, organization or association who has received or indefeasibly acquired the

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Ordinance 31-2012 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 September 10, 2012, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

Ordinance 24-2012 was removed and the number retired.

ORDINANCE 25-2012

AN ORDINANCE ESTABLISHING THAT A BUSINESS ENTITY WHICH MAKES POLITICAL CONTRIBUTIONS TO MUNICIPAL CANDIDATES AND MUNICIPAL AND COUNTY POLITICAL PARTIES IN EXCESS OF CERTAIN THRESHOLDS SHALL BE LIMITED IN ITS ABILITY TO RECEIVE PUBLIC CONTRACTS FROM THE BOROUGH OF MADISON IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY

WHEREAS, large political contributions from those seeking or performing contracts with a municipality raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices; and,

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality is authorized to adopt such ordinances, regulations, rules and by-laws as necessary and proper for good government, as well as the public health, safety and welfare; and,

WHEREAS, pursuant to P.L.2005, c.271 (codified at N.J.S.A. 40A:11-51) a municipality is authorized to adopt by ordinance, measures limiting the awarding of public contracts to business entities that have made political contributions, and limiting the contributions that the recipient of such a contract can make during the term of a contract; and,

WHEREAS, in the interest of good government, the people and the government of the Borough of Madison desire to establish a policy that will avoid the perception of improper influence in public contracting and local elections;

NOW, THEREFORE, BE IT RESOLVED, it shall be the policy of the Borough of Madison to create such a regulation which states that a Business Entity which makes political contributions to municipal candidates and municipal and county political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Borough of Madison; and,

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9/24/2012-3 APPROPRIATION OF \$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR UPGRADES TO POLICE DEPARTMENT MOBIL VISION SYSTEM

Mrs. Tsukamoto provided information regarding a request from the Police Department to replace the mobile vision system in patrol vehicles. Mrs. Tsukamoto indicated how necessary the equipment is for the safety of the officers and for successful prosecution and reducing legal exposure. There was agreement to list an ordinance for introduction.

Ordinance 30-2012 is prepared for Introduction

9/24/2012-4 AMENDMENT TO CHAPTER 139, PEDDLING AND SOLICITING

Mr. Burnet provided a handout regarding the suggested amendments to the Peddling and Soliciting ordinance, noting that the number of permits will be reduced to three (3) per year for food peddling licenses. Following discussion there was agreement to list an ordinance for introduction.

Ordinance 29-2012 is listed for introduction later in the meeting.

9/24/2012-5 *Item removed and the # retired*

9/24/2012-6 AWARD CONTRACT TO WOLFINGTON BODY CO. INC., IN THE AMOUNT OF \$65,925.00 FOR THE PURCHASE OF SENIOR CITIZEN MINIBUS

Mrs. Vitale provided information to Council on the results of a bid opening to award a contract for the purchase of a senior citizen minibus, noting that she is pleased that the manufacture of the bus can begin so quickly.

Resolution 233-2012 is listed on the Consent Agenda.

9/24/2012-7 OPEN SPACE FUNDING REQUESTS FOR COLE PARK FOUNTAIN AND RAIN GARDENS AT THE MRC

Melissa Honohan, Chair of the Open Space Advisory Committee addressed the Mayor and Council regarding a request for funds from the Open Space Trust fund to repair the fountain in Cole Park. Ms. Honohan noted that the fountain does not have historic designation and suggested that it be the first step so that matching funds from Morris County may be made available for repairs. Ms. Honohan noted that the committee discussed a process and procedure regarding requests for funding and agreed that a more formal policy be implemented. Mayor Conley asked that the Open Space Committee work with other committees regarding repairs to the fountain and return with a suggested funding policy. Mayor Conley noted that Council has the authority to appropriate Open Space funds.

9/24/2012-8 APPROPRIATION OF \$25,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR SIGNAL IMPROVEMENTS

Mr. Codey provided information regarding a request from the Borough Engineer, as well as the Electric Utility Superintendent, to replace signals on Greenwood Avenue at Fairview Avenue. There was no objection to listing an ordinance for introduction.

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Mr. Landrigan announced that the NJ Chapter of the American Planning Association has recommended Downtown Madison as a great place in New Jersey, due to the success of Waverly Place and the Downtown area.

Health & Public Assistance

Mrs. Vitale of the Committee made the following comments:

Mrs. Vitale reported on a meeting to be held October 1st, for realtors in the Madison-Chatham area offering information on how to work efficiently with the Borough when renting. Mrs. Vitale thanked interim Health Officer Philip Merlock for his assistance, and noted that newly appoint Health Officer Lisa Gulla is making a smooth transition. Mrs. Vitale reported that a presentation regarding health services was provided to the Township of Springfield. As all health services contract will expire on December 31st, the Health Department personnel and Borough Administration will continue to reach out to other municipalities. We have confirmation from two municipalities to renew their Health Services contracts for the next year.

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 explanation of proposed Resolution R 235-2012, noting his recommendation to have all Borough projects grouped together to get better pricing, from larger contractors.

James Sullivan, Broadview Avenue, inquired about proposed Ordinance 30-2012, an appropriation for the purchase a mobile vision system for police vehicles. Mr. Sullivan also asked about a grant and donations used for the purchase of the senior citizen minibus.

AGENDA DISCUSSIONS

9/24/2012-1

JCP&L COMMUNICATION IMPROVEMENTS

Stan Prater and Michael Bensky, representative from Jersey Power and Light, addressed the Mayor and Council regarding communications and storm preparation, in response to their management of last year's October snow storm. Mr. Prater stated the JCP&L has enhanced their website and completed an aggressive tree trimming program. JCP&L will institute a 'Daily Mayor's Call' during any future major power outages.

9/24/2012-2

BEST PRACTICES WORKSHEET CY2013

Chief Financial Officer Robert Kalafut explained the Division of Local Government Services, 2013 Best Practices worksheet, noting that the worksheet contained 50 questions, with approximately 30 inquiries covering new areas, from last years worksheets. The Borough will continue to qualify for 100% of the annual State Aid allocation based on responses. There was agreement to authorize Mr. Kalafut and the Borough Clerk to submit the worksheet and certification form.

Resolution 229-2012 listed on the Consent Agenda.

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REPORTS OF COMMITTEES

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
Mrs. Tsukamoto reported that new surveillance equipment and call boxes are now installed at the Madison Recreation Center. The Police Department has answered 1551 calls for service, including 60 medical calls, 24 traffic accidents, and 14 arrests so far this month. Congratulations to Officer Chad Rybka who is recognized by the New Jersey Division of Highway Safety for making the most DWI arrests in Madison. Safety improvements continue at the Madison Junior School and Torey J Sabatini School. Parking Lot #1 will receive additional lighting for additional safety for commuters. The Housing Authority reports progress on their housing project on Strickland Place, noting that more contaminated materials was discovered than previously anticipated. All three Homes should be completed before the end of 2013.

Utilities

Dr. Esposito, Chair of the Committee, made the following comments:
Dr. Esposito reported that the water and electric utilities are working on maintenance of systems for the upcoming winter months. At a recent Madison Chatham Joint Meeting, asset management of the utility was discussed and priority risk projects will be discussed by the finance committee. The Planning Board will review recommendations on a proposed LED lighting ordinance on October 2nd, as well as the proposed lighting plan for the future Walgreens, at 122 Main Street.

Public Works and Engineering

Mr. Links, Chair of the Committee, made the following comments:
The Engineering department reports that a Municipal Aid Application for improvements to portions of Green Avenue has been submitted to the New Jersey Department of Transportation. The State continues improvements in the Central Business district and improvements to the Borough's pump stations will be implemented next year. The Public Works department reports that leaf pick up will begin the week of October 22nd.

Finance and Borough Clerk

Mr. Catalanello, Chair of the Committee, made the following comments:
Mr. Catalanello highlighted Dr. Esposito's report on projects for the Madison Chatham Joint Meeting as they will require a substantial amount of funding. Mr. Catalanello reported on fundraising by the Madison Athletic Foundation, noting that funds have been raised this year totaling approximately \$196,000, including \$80,000 from a raffle, \$60,000 in recreation sports user fees, rentals of approximately \$20,000 and plaques for the donor wall and advertising signs as well. Any business interested in advertising at the MRC should contact the Madison Athletic Foundation for an application.

Community Affairs

Mr. Landrigan, Chair of the Committee, made the following comments:
The Friends of the Senior Citizens are planning participation at Bottle Hill Day to raise funds for their programs. Mr. Landrigan reported that the Museum of Early Trades & Crafts will hold its annual Gala honoring the Madison Rotary Club to be held November 2nd. Bottle Hill Day is scheduled for Saturday, October 6, 2012, with four stages of music, rock climbing and the Mayor's Mad Dash. Mayor Conley will race down Main Street against mascots from local Universities and Colleges.

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WHEREAS, during this time, Frank has taken the lead on three county-sponsored public awareness and education campaigns; and

WHEREAS, the success of these campaigns, namely, “Parents Who Host Lose the Most”, “Sticker Shock” and the prescription medication drop-off events, resulted from the excellent teamwork between Frank and the Madison Police Department; and

WHEREAS, Frank has also raised awareness of the Alliance in the business community and increased participation through his contacts at the Chamber of Commerce; and

WHEREAS, Frank Iannarone, a registered pharmacist, has educated the community, as well as residents of Madison’s senior housing and assisted living facilities, about the proper use of prescription drugs and the risk of potential drug interactions; and

WHEREAS, as a member of the Alliance, he has expanded this commitment to the prevention of underage drinking and illegal drug use; and

WHEREAS, Frank is also a guest speaker and mentor to pharmacy students at Rutgers University and provides students with internships at his pharmacy; and

WHEREAS, Frank Iannarone was honored as the Morris County Alliance Volunteer of the Year at the recent Governor’s Council on Alcoholism and Drug Abuse Annual Summit;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim September 24, 2012 as **Frank Iannarone Day**. His efforts, dedication and commitment make Madison a special place in which to visit, work and live.

Robert H. Conley, Mayor
September 24, 2012

Mayor Conley announced that Acting Police Chief Jerry Mantone has informed the Mayor and Council of his intention to retire from the Madison Police Department effective October 5, 2012 after 34 years of service. Lieutenant Darren Dachisen will be appointed to serve as Officer in Charge in the absence of Acting Chief Mantone.

Madison Fire Chief Louie DeRosa offered a power point presentation to Mayor and Council regarding an undertaking to acquire a 1921 Ahrens-Fox previously owned by the Madison Fire Department, a gift by Mrs. Geraldine R. Dodge to the Borough of Madison after a fire on her property in 1921. The Fire Department would like to raise \$150,000 to purchase the truck from a collector in Massachusetts. Chief DeRosa asked residents for help with fundraising efforts, noting that the 1921 Ahrens-Fox will be on display and tee-shirts will be sold on Bottle Hill Day.

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GVRS PILOT/BOE
BOARD OF HEALTH
SIGNAL MAINTENANCE
TREADWELL PUMP STATION IMPROVEMENTS

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

PERSONNEL MATTERS (1)
BOROUGH CLERK

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

Seconded: Dr. Esposito
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

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

APPROVAL OF MINUTES

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of June 25, 2012**. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

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

GREETINGS TO PUBLIC

Mayor Conley asked for a moment of silence for the passing of former Madison Mayor Glenn O. Head.

Mayor Conley presented a Proclamation in recognition of Frank Iannarone Day. Mayor Conley presented the proclamation to Frank Iannarone for his commitment to MAASA and for being named Morris County Alliance Volunteer of the Year.

Proclamation
of the
Borough of Madison
Proclaiming
Frank Iannarone Day
September 24, 2012

WHEREAS, Frank Iannarone has been a volunteer with the Municipal Alliance Addressing Substance Abuse for over two years; and

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

September 24, 2012 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 24th day of September 2012. Mayor Conley called the meeting to order at 7 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

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

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

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

Also Present:

Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Borough Administrator
Elizabeth Osborne, Borough Clerk
Matthew J. Giacobbe, Esq. Acting Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mrs. Tsukamoto moved:

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

MINUTES FOR APPROVAL (1)

None

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

CONTRACT MATTERS (7)

CHATHAM BOROUGH CONSTRUCTION DEPARTMENT
RFP PROCESS FOR PROFESSIONAL SERVICES
BROWN & BROWN METRO, INC.