

**Regular Meeting Minutes – October 10, 2012**

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

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

Nays: None

**NEW BUSINESS** - None

**ADJOURN**

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

Respectfully submitted,

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

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N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

**WHEREAS**, JM Sorge Inc. must complete and submit a Business Entity Disclosure Certification which certifies that JM Sorge Inc. 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 JM Sorge Inc. from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Director of Finance has attested that funds will be available in an amount not to exceed \$44,000.00 for this purpose, which funds are available in account C04 56 181 602.

**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 JM Sorge Inc., the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract for professional services with JM Sorge Inc. for environmental engineering services for removal of the underground storage tank behind the Hartley Dodge Memorial in an amount not to exceed \$44,000.00, such contract to be in a form approved by the Borough Attorney.

2. When received, the Business Disclosure Entity 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.

**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	\$51,355.92
Health & Public Assistance	5,468.93
Public Works & Engineering	222,236.71
Community Affairs	5,390.54
Finance & Borough Clerk	3,599,112.31
Utilities	<u>524,288.36</u>
Total	<u>\$4,407,852.77</u>

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Borough of Madison for funding the Kings Road School Pedestrian Improvements at Samson Avenue project; and

**WHEREAS**, the NJDOT will reimburse the Borough of Madison for costs associated with the Kings Road School Pedestrian Improvements at Samson Avenue project to a maximum of \$134,790.00; and

**WHEREAS**, the Borough Council has determined to approve execution of the Transportation Enhancement Agreement between the NJDOT and the Borough of Madison for funding the Kings Road School Pedestrian Improvements at Samson Avenue Project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute on behalf of the Borough of Madison the Transportation Enhancement Agreement between the NJDOT and the Borough of Madison for funding the Kings Road School Pedestrian Improvements at Samson Avenue Project in a form approved by the Acting Borough Attorney.

R 246-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO JM SORGE, INC. FOR UNDERGROUND STORAGE TANK REMOVAL AT THE HARTLEY DODGE MEMORIAL IN AN AMOUNT NOT TO EXCEED \$44,000.00

**WHEREAS**, the Borough Engineer has recommended that the Borough obtain professional services from JM Sorge, Inc., for environmental engineering services for removal of an underground storage tank behind the Hartley Dodge Memorial (hereinafter the “Contract”); and

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

**WHEREAS**, the Borough Administrator has determined and certified in writing that the value of this acquisition will exceed \$17,500.00; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the Contract to JM Sorge Inc. in an amount not to exceed \$44,000.00, for environmental engineering services for removal of the underground storage tank behind the Hartley Dodge Memorial; and

**WHEREAS**, JM Sorge Inc., must submit to the Borough Purchasing/Personnel Officer the required documents to satisfy the requirements of

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HA-0892-0912

RESOLUTION R 244-2012  
 STATE OF NEW JERSEY  
 DEPARTMENT OF THE TREASURY  
 DIVISION OF PENSIONS AND BENEFITS  
**STATE HEALTH BENEFITS PROGRAM**  
 PO BOX 299 TRENTON, NEW JERSEY 08625-0299

**RESOLUTION**

A RESOLUTION for Local Government Employers to limit the medical plans offered under the State Health Benefits Program. Employers must offer at least one plan from each category.

**BE IT RESOLVED:**

The BOROUGH OF MADISON 093800  
CORPORATE NAME OF EMPLOYER SHBP/SEHBP EMPLOYER LOCATION NUMBER

**WILL NOT OFFER THE FOLLOWING PLAN(S)** (CHECK THE PLANS YOUR LOCATION WILL NOT BE OFFERING – YOU MUST OFFER AT LEAST ONE PLAN FROM EACH CATEGORY.)

CATEGORY 1		CATEGORY 2	
<input checked="" type="checkbox"/> AETNA FREEDOM10	<input checked="" type="checkbox"/> NJ DIRECT10	<input type="checkbox"/> AETNA FREEDOM1525	<input type="checkbox"/> NJ DIRECT1525
<input checked="" type="checkbox"/> AETNA FREEDOM15	<input type="checkbox"/> NJ DIRECT15	<input checked="" type="checkbox"/> AETNA HMO1525	<input checked="" type="checkbox"/> HORIZON HMO1525
<input checked="" type="checkbox"/> AETNA HMO	<input checked="" type="checkbox"/> HORIZON HMO		
CATEGORY 3		CATEGORY 4	
<input checked="" type="checkbox"/> AETNA FREEDOM2030	<input checked="" type="checkbox"/> NJ DIRECT2030	<input type="checkbox"/> AETNA VALUE HD4000	<input checked="" type="checkbox"/> NJ DIRECT HD4000
<input type="checkbox"/> AETNA HMO2030	<input checked="" type="checkbox"/> HORIZON HMO2030	<input checked="" type="checkbox"/> AETNA VALUE HD1500	<input checked="" type="checkbox"/> NJ DIRECT HD1500

Upon receipt of this resolution, the Health Benefits Bureau will schedule a Special Open Enrollment for active employees currently enrolled in any plan that will no longer be offered. These employees must submit a *Health Benefits Application* to change medical plans during the Special Open Enrollment or will otherwise be terminated from coverage. Resolutions may be filed once in a calendar year.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

BOROUGH OF MADISON  
CORPORATE NAME OF EMPLOYER

on the 10th day of OCTOBER, 20 12.

\_\_\_\_\_  
SIGNATURE

MAYOR  
OFFICIAL TITLE

130  
NUMBER OF EMPLOYEES

50 KINGS ROAD  
STREET ADDRESS

MADISON NJ 07940  
CITY STATE ZIP CODE

(973) 593-3043  
AREA CODE TELEPHONE NUMBER

22-6002-052  
EMPLOYER'S STATE SOCIAL SECURITY IDENTIFICATION NUMBER

**R 245-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AGREEMENT WITH STATE OF NEW JERSEY FOR TRANSPORTATION ENHANCEMENT FEDERAL AID FOR MADISON IN THE AMOUNT NOT TO EXCEED \$134,790.00**

**WHEREAS**, the Borough Engineer has recommended that the Borough Council approve a Transportation Enhancement Agreement between the Department of Transportation of the State of New Jersey (“NJDOT”) and the

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described Christmas decoration for the period of November 23, 2012, through January 5, 2013, on its property located at 245 Main Street, Madison, New Jersey.

**R 243-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO ROBERT KOPACZ FOR FILMING OF BOROUGH COUNCIL MEETINGS AND SPECIAL EVENTS FOR TELEVISION**

**WHEREAS**, the Borough of Madison previously solicited quotes for filming of Borough Council meetings and special events for television for the year 2013 (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-6.1, et seq.; and

**WHEREAS**, the Borough Administrator has recommended that the Contract should be awarded for 2013 to Robert Kopacz as a media consultant on the same terms and conditions as 2012 contract, in the amount of \$500 per Borough Council meeting and \$100 per hour for consulting services as may be agreed upon, as well as courtesy rental space at the Hartley Dodge Memorial or other Borough-owned property; and

**WHEREAS**, the Borough Council has determined to award said contract to Robert Kopacz for the year 2013; and

**WHEREAS**, this contract award is expressly contingent upon adequate funds for this purpose being included in the adopted 2013 budget.

**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. A Contract with Robert Kopacz, of Summit, N.J. as a media consultant is hereby awarded for the year 2013 based upon his quote in the amount of \$500 per Borough Council meeting for filming of Borough Council meetings for television and \$100 per hour for other consulting services the Borough may request, as well as courtesy rental space at the Hartley Dodge Memorial or other Borough-owned property.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the award Contract with Robert Kopacz of Summit, N.J. in a form acceptable to the Acting Borough Attorney.

**R 244-2012 RESOLUTION OF THE BOROUGH OF MADISON REGARDING STATE HEALTH BENEFITS PROGRAMS**

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hereby reappointed to the position of Borough Clerk, effective December 1, 2012 and upon this reappointment has attained tenure pursuant to N.J.S.A. 40A:9-133 et seq.

**R 241-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SAINT VINCENT MARTYR SCHOOL RUN ON SATURDAY, NOVEMBER 18, 2012**

**WHEREAS**, Saint Vincent Martyr School has requested permission to use portions of Wilmer Street, Woodland Road, Prospect Street and Green Avenue in connection with a 5k road running event, turkey trot and fun run; and

**WHEREAS**, the Acting Police Chief recommends approval of this request; and

**WHEREAS**, Saint Vincent Martyr School has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

**WHEREAS**, the Borough Council has reviewed said request and determined that it should be granted.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Saint Vincent Martyr School is hereby granted permission to use portions of Wilmer Street, Woodland Road, Prospect Street and Green Avenue in connection with the St. Vincent Martyr School Run to be conducted on Saturday, November 18, 2012, between the hours of 7:00 a.m. and 12:00 p.m. (noon), subject to the condition that the Saint Vincent Martyr School reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

**R 242-2012 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 6, 2012 to November 11, 2012, and to display the above

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**WHEREAS**, JEN Electric, Inc., must complete and submit a Business Entity Disclosure Certification which certifies that JEN Electric, Inc., has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year; and

**WHEREAS**, the Director of Finance has attested that funds will be available in an amount not to exceed \$6,481.20 for this purpose, in Ordinance 31-2012.

**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. Upon ten days after receipt of the Business Entity Disclosure Certification and other required documents from JEN Electric, Inc., the purchase of services for signal improvements at nine (9) locations locally from JEN Electric, Inc., at a total price not to exceed \$6,481.20 is hereby approved under New Jersey State and Morris County contracts and the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract with JEN Electric, Inc. for the maintenance of various traffic signals at a total price not to exceed \$6,481.20, in a form acceptable to 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.

**R 240-2012 RESOLUTION OF THE BOROUGH OF MADISON REAPPOINTING ELIZABETH OSBORNE TO THE POSITION OF BOROUGH CLERK**

**WHEREAS**, Elizabeth Osborne was appointed June 8, 2009 as Acting Borough Clerk and beginning December 1, 2009 as Borough Clerk in accordance with N.J.S.A. 40A:9-133 et seq., and has served the Borough Council and residents of Madison with distinction; and

**WHEREAS**, the governing body recommends the reappointment of Elizabeth Osborne to the position of Borough Clerk effective December 1, 2012 in accordance with N.J.S.A. 40A:9-133 et seq.; and

**WHEREAS**, this appointment has occurred within sixty (60) days of the expiration of the original appointment term referenced above.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Elizabeth Osborne is

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Mrs. Tsukamoto moved that Ordinance 35-2012, 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

**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 239-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE PURCHASE OF SERVICES FROM JEN ELECTRIC, INC. OF SPRINGFIELD, NEW JERSEY UNDER STATE AND COUNTY CONTRACT FOR TRAFFIC SIGNAL MAINTENANCE

**WHEREAS**, the Borough of Madison desires to purchase services for signal maintenance at 9 signal locations under jurisdiction of the Borough of Madison from an authorized vendor under State and County Contracts; and

**WHEREAS**, the purchase of goods and services through pre-bid State and County agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq; and

**WHEREAS**, JEN Electric, Inc., of Springfield, New Jersey has been awarded New Jersey State and Morris County Cooperative Bid Contracts; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council utilize these contracts for regular signal maintenance at multiple locations in the total amount of \$6,481.20; and

**WHEREAS**, the Borough Engineer has determined and certified in writing that the cumulative value of services in this calendar year may exceed \$17,500.00; and

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

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**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:

**SECTION 1:** The amount of \$3,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase two dispatch chairs.

**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 34-2012, 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 35-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$2,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
THE PURCHASE OF ONE CRIME SCENE CAMERA

**WHEREAS**, the Acting Police Chief has recommended that the Borough appropriate \$2,000.00 from the General Capital Improvement Fund to purchase one crime scene camera; 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 \$2,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$1,999.97 from the General Capital Improvement Fund to purchase one crime scene camera.

**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 \$2,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase one crime scene camera.

**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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appropriate \$9,000.00 from the General Capital Improvement Fund to purchase two pole mounted speed monitor devices; 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 \$9,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$9,000.00 from the General Capital Improvement Fund for the purchase of two pole mounted speed monitor devices.

**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:

**SECTION 1:** The amount of \$9,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase two pole mounted speed monitor devices.

**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 33-2012, 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 34-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$3,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
PURCHASE OF TWO DISPATCH CHAIRS

**WHEREAS**, the Acting Police Chief has recommended that the Borough appropriate \$3,000.00 from the General Capital Improvement Fund to purchase two dispatch chairs; 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 \$3,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$3,000.00 from the General Capital Improvement Fund for the purchase of two dispatch chairs.

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

ORDINANCE 32-2012

ORDINANCE OF THE BOROUGH OF MADISON RESCINDING ORDINANCE 3-90 AND 5-91 AMENDING CHAPTER 134 ENTITLED "PARKING LOTS" OF THE BOROUGH CODE TO PROVIDE FOR PARKING FEES FOR RECREATIONAL VEHICLES

**WHEREAS**, Ordinance 3-90, adopted March 12, 1990, and Ordinance 5-91 adopted April 8, 1991, established parking fees for recreational vehicles stored at the Borough of Madison Public Works facility; and

**WHEREAS**, the Borough Administrator has recommended that Ordinance 3-90 and Ordinance 5-91 both be rescinded effective April 1, 2013, due to increase liability to the Borough by permitting residents to park recreational vehicles on Borough owned property.

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey that Ordinance 3-90 and Ordinance 5-91 be rescinded; and

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

**SECTION 1:** That Chapter 134, Paragraph (A) of the Borough code be amended to removed Section 134-9 in its entirety.

**SECTION 2:** This Ordinance shall take effect on April 1, 2013.

Mr. Links moved that Ordinance 32-2012, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. Dr. Esposito asked for explanation of zoning issues for recreational vehicles.. Mr. Giacobbe will provide additional information at the next Council meeting. There was no further 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 33-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$9,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF TWO POLE MOUNTED SPEED MONITOR DEVICES

**WHEREAS**, the Acting Police Chief has recommended that the Borough

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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.

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

Mayor Conley opened up the public hearing on Ordinance 31-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Links moved that Ordinance 31-2012, 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 31-2012 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.

Close Hearing

***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.**

***Richard Zipper, Greenwood Avenue***, asked that a fence at Greenwood and Rosedale Avenues be set back further from the roadway to improve visibility. Borough Engineer Robert Vogel will work with the New Jersey Department of Transportation regarding improved placement of the fence. Mr. Zipper also asked that Council consider the hardship to residents regarding the storage of recreational vehicles.

***Sam Cerciello, Park Avenue***, asked that the Borough send a letter to the Morris Township regarding traffic concerns due to the construction of townhomes on Park Avenue. Mr. Cerciello asked that the Farmers' Market be moved to the High School parking area next year.

***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 November 5, 2012 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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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.

Mayor Conley opened up the public hearing on Ordinance 30-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 30-2012, 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:

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

Nays: None

Mayor Conley declared Ordinance 30-2012 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 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:

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Ordinance 32-2012 is prepared for introduction.

**10/10/2012-6 STATE HEALTH BENEFITS PROGRAMS**

Mr. Codey noted that a resolution listed for Council consideration is a requirement of the Division of Pension and Benefits to designate health plans for open enrollment, which must include at least four plans. Borough of Madison offers employees the option of selecting from five health care plans. There was no objection to listing a resolution for consideration.

Resolution R 244-2012 is listed on the Consent Agenda.

**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 24, 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 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**

Mayor Conley announced that the above listed ordinance will is removed for additional revisions and will be introduced again at a later meeting.

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

**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 Resolution R 246-2012, regarding a contract for environmental engineering services for removal of an underground storage tank behind the Hartley Dodge Memorial.

**AGENDA DISCUSSIONS**

**10/10/2012-1 SAFE ROUTES TO SCHOOL**

Mrs. Tsukamoto explained that the goal of the Complete Streets is to improve the quality of life by making it safe and easy to cross streets, walk and bicycle to and from school, work, shops and the train station. The committee supports. and is working with, the Sustainable Madison Committee on the Safe Routes to School project. Heather Sherpard of the Sustainable Madison Committee gave a presentation on the project. A non bidding resolution of support for this program will be presented at the next Board of Education meeting, on October 16<sup>th</sup>. Mayor Conley noted that this is a great program, one of changing life long habits, by starting in school.

**10/10/2012-2 APPROPRIATE \$9,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND PURCHASE OF TWO POLE MOUNTED SPEED MONITOR DEVICES**

**10/10/2012-3 APPROPRIATE \$3,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND PURCHASE OF TWO DISPATCHER CHAIRS**

**10/10/2012-4 APPROPRIATE 2,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND PURCHASE OF ONE CRIME SCENE CAMERA**

Mr. Codey address three ordinances listed for introduction later in the agenda, noting that these projects were reviewed at the capital budget hearing and were approved in the 2012 budget.

Ordinances 33-2012, 34-2012 and 35-2012 are prepared for introduction.

**10/10/2012-5 RESCIND ORDINANCE 3-90, PARKING FEES FOR PRIVATE RECREATIONAL VEHICLES STORED AT THE PUBLIC WORKS YARD**

Mr. Codey explained that the proposed amendment to the Borough Code addresses concerns regarding space, insurance and liability to the Borough for allowing the storage of private recreational vehicles at the Public Works garage, for a nominal fee. There was no objection to listing an ordinance for introduction.

**Regular Meeting Minutes – October 10, 2012**

Mrs. Vitale reported that discussion with the Township of Springfield for health services is continuing. The Madison Health Department will hold an annual flu clinic on October 27<sup>th</sup>. The Municipal Alliance Addressing Substance Abuse has many amazing events planned this fall and residents are encouraged to visit their website for details.

**COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

E-mail received September 25, 2012 from Paul Sirna, Samson Road, regarding sidewalk construction on Samson Road.

E-mail received September 28, 2012 from Wilma Van de Pol of South Orange requesting that Council support her efforts to have Assembly Bill #2586, which proposes Equalized standing of private and public colleges before Land Use agencies, rejected in the Legislature.

E-mail received October 3, 2012 from Christine Mullen, Central Avenue, regarding traffic safety at the intersection of Fairwood and Central Avenue.

Mrs. Tsukamoto moved adoption of the Resolution R 247-2012. Dr. Esposito seconded the motion. Mr. Giacobbe read the following resolution appointing Lieutenant Darren Dachisen to the position of Acting Police Chief in full for the record. 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 247-2012 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF LIEUTENANT DARREN DACHISEN TO THE POSITION OF ACTING POLICE CHIEF EFFECTIVE OCTOBER 10, 2012

**WHEREAS**, Acting Police Chief Jerry Mantone, by letter dated September 24, 2012, notified the Borough of his intention to retire effective October 5, 2012 after 34 years of service with his terminal leave to commence immediately and end on August 2, 2013, and

**WHEREAS**, the Borough hereby accepts Acting Chief Mantone's retirement and in reliance thereon is hereby appointing Lieutenant Darren Dachisen as Acting Police Chief.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Lieutenant Darren Dachisen is hereby appointed to the position of Acting Police Chief, effective October 10, 2012.

## ***Regular Meeting Minutes – October 10, 2012***

Lisa Ellis, President of the Madison Board of Education presented a plaque to Acting Police Chief Mantone for his retirement noting his service at the first School Resource Officer

### **REPORTS OF COMMITTEES**

#### **Public Safety**

Mrs. Tsukamoto, Chair of the Committee, made the following comments: The Joint Municipal Court of Madison, the Chathams and Harding continues to receive positive feedback. Mrs. Tsukamoto offered congratulations to Dawn Allgeier, Deputy Administrator for attaining Court Administration Certification. Mrs. Tsukamoto reported that additional lighting has been installed in commuter Lot #1 and twenty additional spaces are available in the Maple Avenue Lot. A presentation on the Safe Routes to School program will take place later this evening. The Madison Fire Department will visit all Madison schools as this is Fire Prevention Week. Mrs. Tsukamoto noted many questions from residents regarding staffing at the Police Department and stated that the hiring of a new officer was deferred due to contract arbitration and deferred again due to consensus that the 2013 budget would not support an appointment. Due to recent retirements, there exists a greater need for a new officer for day to day operations, and residents can expect to see a formal resolution appointing a new officer at the next meeting.

#### **Utilities**

Dr. Esposito, Chair of the Committee, made the following comments: Dr. Esposito reported on a temporary power outage which occurred today and noted that crews quickly repaired relay switches and power has been restored.

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

Mr. Links, Chair of the Committee, made the following comments: Mr. Links reported that the Borough of Madison has received Federal Aid for improvements to Samson Avenue. Morris County will begin paving Main Street on October 10<sup>th</sup>. The Madison Recreation Center is nearing completion and the Department of Public Works will begin leaf pick up on October 22<sup>nd</sup>. Leaf collection bags are available at the Borough garage.

#### **Finance and Borough Clerk**

Mr. Catalanello, Chair of the Committee, made the following comments: Mr. Catalanello announced that polls will be open from 6 a.m. to 8 p.m. for the General Election, November 6<sup>th</sup>.

#### **Community Affairs**

Mr. Landrigan, Chair of the Committee, made the following comments: Mr. Landrigan noted the Madison Chamber of Commerce is offering a fire extinguisher inspection program for businesses and residents at a cost of \$15.00. Mr. Landrigan thanked Lisa Ellis and the Downtown Development Commission, as well as all groups that participated in the success of Bottle Hill Day. Mr. Landrigan reminded residents that the Farmers' Market is still open Thursdays until the end of October.

#### **Health & Public Assistance**

Mrs. Vitale of the Committee made the following comments:

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***Presented to  
Jerald Mantone***

**Whereas**, Jerald Mantone joined the Madison Police Department as a full-time employee in August 1980 after serving three years as a Special Police Officer; and

**Whereas**, a lifelong resident of Madison, Jerry graduated from Madison High School, received an associate's degree in Criminal Justice from Morris County College, a bachelor's degree in Management from Kean College and a master's degree in Public Administration from Fairleigh Dickinson University; and

**Whereas**, Jerry, a graduate of the Morris County Police Academy, extended his education in law enforcement to attendance at the Police Executive Institute New Jersey State Association of Chiefs of Police as well as graduation from the West Point Leadership & Command Class; and

**Whereas**, he is a Certified Firearms Instructor, Certified Police Academy Instructor State of New Jersey, Verbal Judo Instructor, Certified Community Policing Practitioner and was the department's Investigative Division Commander and Community Policing Liaison; and

**Whereas**, over the course of his long career in the Madison Police Department, Jerry was promoted to Sergeant in 1988, to Lieutenant in 1991 and to Acting Police Chief in August 2012; and

**Whereas**, Jerry served as the Police Resource Officer for several years at Madison High School where he enjoyed interacting with the students and where the Jerry Mantone Senior Award is presented to a senior boy and a senior girl who best exemplify the same characteristics towards others as Jerry Mantone displayed while attending Madison High School; and

**Whereas**, in following a proud family tradition of service to the community, Jerry is President of the Board of Project Community Pride, an active member of the Madison Elks Lodge, current board member of the Madison Housing Authority and former member on the boards of the Madison Teen Center and the Madison Little League;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the Governing Body, wish to express our gratitude and appreciation to Jerald Mantone for his outstanding service to the Borough of Madison. We have enjoyed the privilege of working with him and extend our best wishes to Jerry in his future endeavors.

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Robert H. Conley Mayor  
October 10, 2012

**Regular Meeting Minutes – October 10, 2012**

***In Observance of  
National Breast Reconstruction Awareness Day  
October 17, 2012***

**Whereas**, since 1998, health plans that offer breast cancer coverage have been required to provide coverage for breast reconstruction and prostheses; and

**Whereas**, less than 20 percent of eligible women with breast cancer undergo breast reconstruction and published research shows that nearly 70 percent of women are not informed of their care options; and

**Whereas**, recent studies determined that the two significant reasons why women did not undergo breast reconstruction were that they were not informed of their options and they were not referred to a plastic surgeon for breast reconstruction; and

**Whereas**, October 17, 2012 is National Breast Reconstruction Awareness Day (BRA Day USA), an initiative designed to promote education, awareness and access regarding post-mastectomy breast reconstruction;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, proclaim observance of National Breast Reconstruction Awareness Day, Wednesday, October 17, 2012, in the Borough of Madison.

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**Robert H. Conley, Mayor**  
October 10, 2012

Employee of the Month for October:

Stacey Dooley of the Purchasing Department is named Employee of the Month for her strong work ethic and commitment to compliance with the Local Public Contracting Laws.

Anniversary:

Michael Minni of the Madison Police Department, is celebrating his 25<sup>th</sup> Anniversary with the Borough on October 27<sup>th</sup>.

In recognition of Acting Police Chief Jerald Mantone's retirement, Mayor Conley presented a proclamation to Jerry along with flowers for Mrs. Mantone.

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

**Regular Meeting Minutes – October 10, 2012**

JEN ELECTRIC  
GVRS UPDATE  
MADISON CHATHAM JOINT MEETING/SHARED SERVICE  
JM SORGE  
RAIN GARDEN

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

PERSONNEL MATTERS (2)  
POLICE DEPARTMENT PERSONNEL  
TEAMSTERS NEGOTIATIONS

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 **Executive Minutes of July 9, 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

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of July 9, 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 made the following comments:

Mayor Conley reminded residents of the November 5<sup>th</sup> Council meeting. Mayor Conley announced that the Madison Public Library will hold a Strategic Planning meeting of October 18<sup>th</sup> and thanked Lisa Ellis for her coordination of Bottle Hill Day.

In observance of National Breast Reconstruction Awareness Day – October 17, 2012, Mayor Conley presented to Dr. Isaac Starker, a Board Certified Plastic Surgeon.

*Proclamation  
of the  
Borough of Madison*

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

**October 10, 2012 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 10th day of October, 2012. Mayor Conley called the meeting to order at 7 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

**STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

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

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

**ROLL CALL**

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

Mayor Robert H. Conley

Council Members:

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

Also Present:

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

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**READING OF CLOSED SESSION RESOLUTION**

Mrs. Tsukamoto moved:

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

MINUTES FOR APPROVAL (1)

Executive Minutes of July 9, 2012

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

CONTRACT MATTERS (6)

GREEN ACRES