

Regular Meeting Minutes – November 26, 2012

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Garden Committee is authorized to erect the garden shed and the Acting Purchasing Agent is authorized to solicit quotes for said work.

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	\$30,478.52
Health & Public Assistance	2,812.15
Public Works & Engineering	166,682.25
Community Affairs	3,831.80
Finance & Borough Clerk	89,405.18
Utilities	<u>1,230,783.43</u>
Total	<u>\$1,523,993.33</u>

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

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

Nays: None

Absent: Mr. Links

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved January 14, 2013 (EO)

Regular Meeting Minutes – November 26, 2012

WHEREAS, the Borough of Madison has previously been named as a party in litigation entitled John Theese v Borough of Madison, Madison Board of Health, John Hoover, William Rosenberg, Susan DiGiacomo, Jill Rebholz, Robert Landrigan, Ernest Schoellkopf, Donald Links, Ann F. Grossi and John and Jane Doe 1-10 in the Superior Court of New Jersey, Law Division, Morris County, Docket No. MRS-L-1296-11; and

WHEREAS, the parties have engaged in settlement discussions, and the Parties have reached an agreement with respect to the matters in dispute between them and to settle the claims in the Litigation; and

WHEREAS, the parties have agreed to settle all pending lawsuits and claims by way of this Settlement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris, State of New Jersey that the Mayor and Borough Clerk be authorized to execute a claim settlement agreement in a form approved by the Acting Borough Attorney.

R 280-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE USE OF UP TO \$65,000.00 IN MUNICIPAL OPEN SPACE TRUST FUNDS FOR FENCING AT THE MADISON RECREATION CENTER SITE

WHEREAS, the Borough Engineer has recommended that up to \$65,000.00 be allocated from the Municipal Open Space Trust Fund for fencing at the MRC project site to facilitate the disbursement of \$1,200,000.00 in previously approved Green Acres grant awards; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that up to \$65,000.00 is hereby authorized to be spent from the Municipal Open Space Trust Fund for supplemental fencing and related work at the MRC project site to facilitate the disbursement of \$1,200,000.00 in previously approved Green Acres grant awards.

R 281-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE ERECTION OF A GARDEN SHED AT THE MRC COMMUNITY GARDEN SITE

WHEREAS, the Madison Community Garden Advisory Committee has requested authorization to erect a garden shed at the Madison Recreation Center garden site; and

WHEREAS, this matter has been considered at the Regular Public Meeting of the Borough Council on November 26, 2012.

Regular Meeting Minutes – November 26, 2012

WHEREAS, the Borough of Madison wishes to furnish to the Township of Springfield health services of a technical and professional nature as hereinafter set forth, in consideration of payment as hereinafter provided, all according to N.J.S.A. 26:3A2-1 et seq.; and

WHEREAS, the Township of Springfield is agreeable to contracting for such services; and

WHEREAS, the Borough Administrator has recommend the Council authorize execution of a an agreement with the Township of Springfield, with an initial base fee of \$97,533.00, on such terms and in a form acceptable to the Acting Borough Attorney.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Mayor and Borough Clerk be authorized to enter into an agreement for health services as described herein in such form approved by the Acting Borough Attorney.

R 278-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING SUBMISSION OF AN APPLICATION WITH THE COUNTY OF MORRIS FOR A COMMUNITY DEVELOPMENT BLOCK GRANT BY THE MADISON AFFORDABLE HOUSING CORPORATION IN THE AMOUNT OF \$100,000.00

WHEREAS, The Madison Affordable Housing Corporation is submitting a Community Development Block Grant (“CDBG”) application in the amount of \$100,000.00 to Morris County Community Development for the purchase of emergency generators at various senior housing locations; and

WHEREAS, The Madison Affordable Housing Corporation, requests that the Council authorize the Mayor to sign the application to confirm the Borough Council discussed this application at a public meeting; and

WHEREAS, this matter has been considered at the Regular Public Meeting of the Borough Council on November 26, 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor is authorized to sign the application of the Madison Affordable Housing Corporation for a Community Development Block Grant in the amount of \$100,000.00 to purchase emergency generators to provide power at the senior buildings.

R 279-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ENTER INTO A SETTLEMENT AGREEMENT, GENERAL RELEASE AND WAIVER WITH JOHN THEESE

Regular Meeting Minutes – November 26, 2012

175 PARK AVENUE, IN THE BOROUGH OF MADISON, MORRIS COUNTY , NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax year 2011 and 2012 involving 175 Park Avenue, Block 401, Lot 2, has been filed by the Taxpayer, 175 Park Avenue, LLC; and

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

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of 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, as follows:

1. Settlement of the 2011 tax appeal is hereby authorized as follows:

175 Park Avenue
Year 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$7,088,300	N/A	\$7,088,300
Imprvts:	\$2,631,700	N/A	\$2,631,700
Total:	\$9,720,000	N/A	\$9,720,000

2. Settlement of the 2012 tax appeal is hereby authorized as follows:

175 Park Avenue
Year 2012

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$7,088,300	N/A	\$ 7,088,300
Imprvts:	\$500,000	N/A	\$ 500,000
Total:	\$7,588,300	N/A	\$7,588,300

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

R 277-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AGREEMENT FOR HEALTH SERVICES WITH THE TOWNSHIP OF SPRINGFIELD

Regular Meeting Minutes – November 26, 2012

DEVELOPMENT ON BLOCK 1803 LOT 11, A/K/A 122 MAIN STREET, MADISON, NEW JERSEY

WHEREAS, the Borough Engineer has recommended that the Performance Bond of \$779,943.96.00 be released to 122 Main Street Madison LLC, in connection with site improvements located at 122 Main Street, Block 1803, Lot 11; and

WHEREAS, the Borough Engineer advises that all site work has been completed.

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 Performance Bond described herein be released to 122 Main Street Madison, LLC.

R 275-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDDING BID FOR LEAF REMOVAL TO S. ROTONDI & SONS OF SUMMIT, NEW JERSEY IN THE AMOUNT OF \$78,475.00

WHEREAS, the Borough of Madison publicly advertised for bids for removal and proper recycling of leaves (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the lowest qualified bid was submitted by S. Rotondi & Sons, of Summit, New Jersey in the amount of \$78,495.00; and

WHEREAS, the Borough Administrator has recommended that the Borough Council award the contract to S. Rotondi & Sons, of Summit, New Jersey in the amount of \$78,495.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$78,495.00 for this purpose in account 465/221 in the Public Works operating 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. The contract for removal and proper recycling of leaves is hereby awarded to S. Rotondi & Sons, of Summit, New Jersey based upon its bid in the amount of \$78,495.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with S. Rotondi & Sons, of Summit, New Jersey, in a form acceptable to the Acting Borough Attorney.

R 276-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT OF THE 2011 AND 2012 TAX APPEALS ENTITLED 175 PARK AVENUE, LLC V. MADISON BOROUGH, DOCKET NO. :007828-2011 AND 001919-2012 OF THE TAX ASSESSMENT OF BLOCK 401, LOT 2, KNOWN AS

Regular Meeting Minutes – November 26, 2012

2. The Madison Police Department is authorized to close Green Village Road between Blue Ridge Mountain Sports and Chatham Bookseller from 2:00 p.m. to 8:00 p.m. on May 9, 2013, in conjunction with the Madison Green Fair.

R 273-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT WITH THE STATE OF NEW JERSEY FOR THE 2013 GREEN COMMUNITIES GRANT IN THE AMOUNT OF \$2,200 TO FUND A COMMUNITY FORESTRY MANAGEMENT PLAN

WHEREAS, The Madison Shade Tree Management Board has recommended that the Borough Council authorize the Mayor to sign an agreement to accept a 2013 Green Communities Grant of New Jersey in the amount of \$2,200 as part of the State of New Jersey's Community Forestry Program, and for which the Borough will provide a grant matched by in-kind services as allowed by the State and as described in the attachment hereto; and

WHEREAS, the governing body of the Borough of Madison desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$2,200 to fund the following project: Community Forestry Management Plan;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, in the State of New Jersey that Robert H. Conley or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$2,200 and not more than \$2,200, and (c) to execute any amendments thereto which do not increase the Grantee's obligations; and

BE IT FURTHER RESOLVED that the Council of the Borough of Madison authorizes and hereby agrees to match thirty-two percent (32%) of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. One-hundred percent (100%) of the match will be made up of in-kind services.

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

R 274-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RELEASE OF PERFORMANCE BOND FOR 122 MAIN STREET MADISON, LLC

Regular Meeting Minutes – November 26, 2012

be permitted in all one (1) hour parking spaces on Main Street and Waverly Place, effective November 22, 2012 and extending through December 31, 2012.

R 271-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF THE HARTLEY DODGE MEMORIAL BY THE MADISON HISTORICAL SOCIETY ON DECEMBER 1, 2012

WHEREAS, the Madison Historical Society has requested permission to hold an annual Wreath Sale on Saturday, December 1 2012, from 1:00 p.m. to 6:00 p.m., at the Hartley Dodge Memorial; and

WHEREAS, the Hartley Dodge Foundation has requested that such permission be granted; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Madison Historical Society is hereby given permission to hold an annual Wreath Sale at the Hartley Dodge Memorial, on Saturday, December 1, 2011, from 1:00 p.m. to 6:00 p.m.

R 272-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MADISON GREEN FAIR

WHEREAS, the Assistant Borough Administrator has recommended approval of the Madison Green Fair on May 9, 2013, and authorization of closing Green Village Road in front of the Museum of Early Trades and Crafts; and

WHEREAS, Green Village Road would be closed from 2:00 p.m. to 8:00 p.m. between Blue Ridge Mountain Sports and Chatham Bookseller, with access maintained to the Waverly Green parking lot; and

WHEREAS, stores located in the James Building that front on Green Village Road shall be permitted to have merchandise for sale on the sidewalk in front of their stores while the road is closed; and

WHEREAS, the Police Department has approved the event with the use of Auxiliary officers.

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 Madison Green Fair is approved subject to the safety requirements of the Madison Police Department.

Regular Meeting Minutes – November 26, 2012

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. Mr. Giacobbe read Resolutions R 280-2012 and R 281-2012 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. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None
Absent: Mr. Links

R 269-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF THE 2013 MUNICIPAL ALLIANCE GRANT APPLICATION IN THE AMOUNT OF \$13,274.00

WHEREAS, the Borough of Madison, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages; and

WHEREAS, the Borough of Madison further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough of Madison desires to apply for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Morris.

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

1. The Borough Administrator is authorized to submit an application for the Municipal Alliance grant for calendar year 2013 in the amount of \$13,274.00.
2. The Borough of Madison acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

R 270-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXTENDED PARKING HOURS FOR THE HOLIDAY SEASON

WHEREAS, the Assistant Business Administrator has recommended that two (2) hour parking be permitted in all one (1) hour parking spaces on Main Street and Waverly Place from November 27, 2012 through December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that two (2) hour parking shall

Regular Meeting Minutes – November 26, 2012

Mr. Catalanello moved that Ordinance 39-2012, which the Borough Clerk read by title, be 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. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None
Absent: Mr. Links

ORDINANCE 40-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$70,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
REPLACEMENT OF A UTILITY VEHICLE

WHEREAS, the Superintendent of Public Works has recommended that the Borough appropriate \$70,000.00 from the General Capital Improvement Fund for the purchase of a utility truck and accessories, lost in recent Hurricane Sandy; 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 \$70,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$70,000.00 from the General Capital Improvement Fund for the purchase of a utility truck and accessories.

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 \$70,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a utility truck and accessories.

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

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

Mr. Catalanello moved that Ordinance 40-2012, which the Borough Clerk read by title, be 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. Catalanello, Mr. Landrigan. Mrs. Vitale
Nays: None
Absent: Mr. Links

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

Regular Meeting Minutes – November 26, 2012

SECTION 1: The amount of \$480,000.00 is hereby appropriated from the General Capital Improvement Fund for road improvements to Rosedale Avenue.

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

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

Mr. Catalanello moved that Ordinance 38-2012, which the Borough Clerk read by title, be 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. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

Absent: Mr. Links

ORDINANCE 39-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$46,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
TWO HVAC UNITS FOR THE MADISON PUBLIC LIBRARY

WHEREAS, the Library Director has recommended that the Borough appropriate \$46,000.00 from the General Capital Improvement Fund to replace HVAC units at the Madison Free Public Library; and

WHEREAS, the approved 2012 Capital Budget recognized this expenditure;
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 \$46,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$46,000.00 from the General Capital Improvement Fund to replace HVAC units at the Madison Free Public Library; and

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

SECTION 1: The amount of \$46,000.00 is hereby appropriated from the General Capital Improvement Fund to replace HVAC units at the Madison Free Public Library

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

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

Regular Meeting Minutes – November 26, 2012

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.

Pat Rowe, Pine Avenue, inquired about the 2013 budget schedule, terminal pay for Borough retirees and anticipated changes due to the revaluation of property near completion.

Sam Cerciello, Park Avenue, asked if lights at the Madison Recreation Center must remain illuminated at this time of year when there are no evening recreational activities. Mr. Cerciello also asked about paving of the MRC parking area

Don Brunner, Redmond Drive, asked for clarification of parking fees in the Crescent parking lot on weekends.

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 December 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 38-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$480,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR ROAD IMPROVEMENTS ON ROSEDALE AVENUE

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$480,000.00 from the General Capital Improvement Fund for road improvements to Rosedale Avenue, including new pavement, traffic calming and pedestrian sidewalk ramp improvements; 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 \$480,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$480,000.00 from the General Capital Improvement Fund for road improvements to Rosedale Avenue.

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

Regular Meeting Minutes – November 26, 2012

IX. SUMMARY

A. All applicants shall be notified of the test date, time and place at least five (5) days prior to the test.

B. All applicants that are rejected at any phase of this testing process shall be notified in writing by the Chief of Police within fifteen (15) days after the testing date.

C. All testing results will remain confidential and will not be released to any person or agency unless specifically authorized by the individual applicant.

4) SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

5) REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

6) EFFECTIVE DATE

This Ordinance shall take effect after final passage as provided by law and shall be applied for any promotions or hiring, except for promotions to Lieutenant and Sergeant, which shall not take effect until October 1, 2013. Any promotion to Lieutenant and Sergeant prior to that date will be made from the current list of eligible candidates.

Mayor Conley opened up the public hearing on Ordinance 37-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 37-2012, which the Borough Clerk read by title, be finally adopted. Mrs. Vitale seconded the motion. Mrs. Tsukamoto noted the importance of having a promotional ordinance. There was no further Council discussion, and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 37-2012 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

Regular Meeting Minutes – November 26, 2012

C. Blood and urine analysis is to be conducted for every applicant examined.

1. A screen for drugs in the applicant's system is to be conducted.

D. The completed medical form is to be picked up from the physician by the officer assigned and reviewed by the Chief of Police.

E. If a candidate's medical examination reflects that the applicant has traces of a controlled dangerous substance in their system, he/she are to be disqualified from the selection process.

F. Any other medical problem, other than traces of controlled dangerous substances in the applicant's system, are to be thoroughly reviewed by the physician and a determination made as to the applicant's fitness for police work.

G. All medical records are to be treated as confidential with access limited in accordance with the ADA requirements; the medical records should be kept in a separate file.

VII. SUCCESSFUL CANDIDATE(S)

A. The successful candidate or candidates, if more than one position, will be presented to the Mayor and Council for final approval and appointment. The initial year of employment is a one-year probationary period during which time the candidate may be removed for any cause and without notice. Termination during the probationary period is not grievable and/or not appealable.

VIII. EXEMPTIONS

A. A candidate for employment may be exempted from the selection process as set forth in Articles I through II, herein above, if such a candidate has previously been certified by the New Jersey Police Training Commission as a law enforcement officer; and if that candidate is currently employed as a law enforcement officer with a bona fide law enforcement agency. Any such candidate will still be subject to the eligibility requirements set forth in Article III-VI, therein above.

B. A candidate for employment may only be granted exemption status by action of the Governing body upon the advice and recommendation of the Chief of Police. The Chief of Police shall recruit and interview qualified candidates and may reject any or all candidates prior to submission to the Governing Body.

C. Such candidate shall still be subject to the requirements of Article III, Department Oral Interview Phase, Article IV, Background Investigation, Article V, Psychological Evaluation, and Article VI, Medical Examination, as set forth herein above.

D. Once the Background Investigation, the interview, the psychological testing and medical examination have been completed, the Chief shall present the candidate to the Governing Body for its consideration. The Governing Body may, in its discretion either accept or reject any candidate recommended by the Chief of Police.

Regular Meeting Minutes – November 26, 2012

C. The Candidates will then be ranked and selected for the Background Investigation Phase.

IV. BACKGROUND INVESTIGATION

A. When the candidate has successfully passed Phases I, II, and III of this ordinance, a background investigation is to be initiated.

B. The Background Policy and Procedure, contained in the Department Rules and Regulations, is to be followed.

C. The completed background investigation shall be evaluated by the Chief of Police and the Detective Bureau.

V. PSYCHOLOGICAL EVALUATION

A. The applicant shall be required to undergo a psychological examination paid for by the Borough and shall be notified of the evaluation at least three (3) days in advance.

1. The applicant will be notified of the following:

- (a). Time
- (b). Location
- (c). Name of Consultation Team
- (d). Date

B. The psychological evaluation is designed to provide the department with dimensional information about a candidate that will assist in the selection process.

C. The Chief of Police shall interpret the psychological evaluation report.

D. If a candidate does not successfully pass the psychological examination, he/she is disqualified from the selection process.

E. All medical records are to be treated as confidential with access limited in accordance with the ADA requirements; the medical records should be kept in a separate file.

VI. MEDICAL EXAMINATION

A. The Madison Borough Police Department shall pay for the applicant to be examined.

1. The Chief of Police shall designate the physician and arrange for the appointment.

B. The physician shall be provided with the department Medical Examination Form and instructed to complete the appropriate sections.

Regular Meeting Minutes – November 26, 2012

4. Must be at least eighteen (18) years old.
5. Must not have been convicted of a crime.
6. Must possess a valid New Jersey driver's license.

II. SECOND PHASE – WRITTEN EXAMINATION

A. Applicants shall submit to a written examination.

1. In order for an applicant to move on to Phase III, the applicant must attain a minimum score of 70% on the written examination.

B. The written examination shall be administered by the New Jersey State Association of Chiefs of Police.

C. The applicant must be present at the testing location on the date and time specified. If the applicant does not report to the testing location as specified, he shall be ineligible for further consideration for the current vacancy.

1. The applicant may apply their written test score and be eligible when another vacancy exists within the appropriate time frame.

D. Written test scores shall be submitted to the Chief of Police for review.

E. All applicants that do not qualify to participate in the next phase shall be notified in writing along with their written test score.

F. If an applicant has taken the New Jersey Chief of Police examination for another agency, he/she may apply his/her test score and be exempt from taking the test again. His test score must be current.

1. For the purpose of this section, current shall mean that the applicant would have had to have taken the written examination within one (1) year, prior to the posted test date for the position of Patrolman with Madison Borough.

G. Applicants possessing a valid New Jersey Police Training Commission Certificate will be subject to the departmental interview process and not required to take a written examination.

III. DEPARTMENT ORAL INTERVIEW PHASE

A. The department interview shall be conducted by the Chief of Police and/or an officer designated by the Chief of Police and the Business Administrator and/or his designee.

B. The Chief of Police shall appoint a department Oral Board Committee. The Oral Board Committee shall evaluate and rank the candidates. The Committee shall consist of personnel representing different ranks within the organization and the Business Administrator and/or his designee.

Regular Meeting Minutes – November 26, 2012

(b). The advertisement will indicate the filing deadline.

B. All applications shall be given out and collected at police headquarters and a copy shall also be provided to the Business Administrator.

C. When a candidate is given an application, the time, date and location of the written test will be attached.

D. When the desk officer provides a candidate with an application, he/she shall complete the information on the applicant list form.

E. When the application is returned, the desk officer on duty shall:

1. Place a check in front of the applicant's name on the applicant list.
2. Collect the application and attach a \$10.00 money order or a certified check that is made payable to the New Jersey State Association of Chiefs of Police.
3. Give the applicant a numbered test booklet after recording the booklet number next to the applicant's name.
4. The desk officer shall place the application, with the money order or certified check attached, in the Chief's office box.

F. When the applications are received by the Chief's secretary, he/she shall check to ensure that the appropriate fee has been rendered and attached to the application form.

1. He/she shall stamp the date that the application was received.
2. All original applications are to be forwarded to the Chief's office.
3. The Chief's secretary shall forward the checks or money orders to the appropriate Chief's Association.

G. The Chief, or his designee, shall arrange for the testing locations for the written, physical and oral testing phases.

1. The Chief, or his designee, will be responsible for making all the proper notifications to the applicants.
2. Applications will not be rejected because of omissions or deficiencies that can be corrected prior to the testing or interview process.

H. Eligibility

1. Must be a citizen of the United States.
2. Must possess a high school diploma, or equivalency.
3. Must be of good moral character.

Regular Meeting Minutes – November 26, 2012

- 2) Chapter 34 of the Code of the Borough of Madison entitled “Police Department” is hereby amended to create a new Section 34-2(G), entitled “Acting Designation, No Office or Position Created” which shall provide as follows:

§34-2(H) Acting Designation; No Office or Position Created

A. The Mayor and Council of the Borough of Madison have the discretion and authority to assign the functions and duties of superior officer ranks, once the Mayor and Council of the Borough of Madison have certified by resolution that the position of any superior officer rank(s) is vacant and until a superior officer rank(s) is promoted. The Mayor and Council may designate an officer who is qualified to perform the functions and duties of any superior officer rank in an acting capacity.

B. It is explicitly understood that no office or position of any kind is created by the assignment of functions and duties of a higher rank to an officer of a lower rank on an acting basis. Such designation shall also not be considered an appointment to a position, nor constitute a promotion. Such designation shall not entitle the officer to any additional compensation or other emoluments of office unless specifically provided for in a collective bargaining agreement or Borough of Madison Personnel Policies and Procedures Handbook. The officer fulfilling such assignment is not and is not intended to constitute the holding of a defacto office or position within the meaning of N.J.S.A. 40A:9-6 or any other law. The officer designated in an acting capacity shall continue to fulfill the assignment at the pleasure of the Mayor and Council.

- 3) Chapter 34 of the Code of the Borough of Madison, entitled “Police Department,” is hereby amended to create a new Section 34-2(H), which shall provide as follows:

§34-2(I) PROCEDURE FOR HIRING NEW POLICE OFFICERS:

I. FIRST PHASE

A. When a vacancy exists, the Chief of Police shall forward a request to the Madison Borough Council to hire a Police Officer. The Chief, after receiving approval to initiate the hiring process of a new officer, shall proceed as follows:

1. Accept applications from only trained officers with New Jersey Police Training Commission Certificates.

(a). Sworn officers from other agencies.

(b). Alternate route officer from police academies.

2. Work with the Borough Personnel Officer to advertise in the official newspapers and other appropriate media outlets.

(a). The advertisement shall be for a two-week period.

Regular Meeting Minutes – November 26, 2012

Commendations

0 to 3 points

+1 point for each commendation up to maximum of 3 points.

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
Doctorate Degree	4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Any enlisted rank	1 point
Any officer rank	2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points.
Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor, Council and Chief Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Sergeant.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

Regular Meeting Minutes – November 26, 2012

office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Sergeant title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council and the Police Chief

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and Police Chief. The record review shall be conducted by the Borough Administrator, the Assistant Borough Administrator and the Police Chief.

(a). The interview with the Mayor and Council and the Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison’s form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate’s responses to same.

(b). The Borough Administrator, Assistant Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

2 points if a majority of the evaluations meets expectations

4 points if all evaluations meet expectations

6 points if a majority of the evaluations meets expectations and some exceed expectations

8 points if a majority of evaluations exceeds expectations

Regular Meeting Minutes – November 26, 2012

eligibility requirements and the process for promotion to Sergeant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Sergeant unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of five (5) years or more.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Madison Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and Police Chief.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or of any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the

Regular Meeting Minutes – November 26, 2012

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
Doctorate Degree	4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Any enlisted rank	1 point
Any officer rank	2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor, Council and Chief Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Lieutenant.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§34-2(G) Promotion to Rank of Sergeant

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Sergeant. This ordinance establishes the

Regular Meeting Minutes – November 26, 2012

of the Lieutenant title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council and Police Chief

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief. The record review shall be conducted by the Borough Administrator, Assistant Borough Administrator and the Police Chief.

(a). The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison’s form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate’s responses to same.

(b). The Borough Administrator, Assistant Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

2 points if a majority of the evaluations meets expectations

4 points if all evaluations meet expectations

6 points if a majority of the evaluations meets expectations and some exceed expectations

8 points if a majority of evaluations exceeds expectations

Commendations 0 to 3 points

+1 point for each commendation up to maximum of 3 points.

Education

Regular Meeting Minutes – November 26, 2012

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Madison Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or of any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions

Regular Meeting Minutes – November 26, 2012

Any enlisted rank	1 point
Any officer rank	2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor, Council and Chief Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Captain.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§34-2(F) Promotion to Rank of Lieutenant

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Lieutenant. This ordinance establishes the eligibility requirements and the process for promotion to Lieutenant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Lieutenant unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of ten (10) years or more. Promotions to the rank of Lieutenant shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

Regular Meeting Minutes – November 26, 2012

The record review shall be conducted by the Borough Administrator, Assistant Borough Administrator and the Police Chief.

(a). The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison’s form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate’s responses to same.

(b). The Borough Administrator, Assistant Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

2 points if a majority of the evaluations meets expectations

4 points if all evaluations meet expectations

6 points if a majority of the evaluations meets expectations and some exceed expectations

8 points if a majority of evaluations exceeds expectations

Commendations 0 to 3 points

+1 point for each commendation up to maximum of 3 points.

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate’s Degree	1 point
Bachelor’s Degree	2 points
Master’s Degree	3 points
Doctorate Degree	4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Regular Meeting Minutes – November 26, 2012

promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Madison Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.

1. **Written Examinations*:** The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. **Oral Examinations*:** Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. **Satisfactory psychological examination and certification by a Borough selected physician** stating that the candidate is able to perform the essential functions of the Captain title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council and Police Chief

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief.

Regular Meeting Minutes – November 26, 2012

achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor and Council Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Police Chief.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§34-2(E) Promotion to Rank of Captain

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Captain. This ordinance establishes the eligibility requirements and the process for promotion to Captain. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Captain unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of ten (10) years or more. Promotions to the rank of Captain shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the

Regular Meeting Minutes – November 26, 2012

N.J.S.A. 40A:14-118. The Mayor and Council shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b). The Borough Administrator and Assistant Borough Administrator shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

2 points if a majority of the evaluations meets expectations

4 points if all evaluations meet expectations

6 points if a majority of the evaluations meets expectations and some exceed expectations

8 points if a majority of evaluations exceeds expectations

Commendations 0 to 3 points

+1 point for each commendation up to maximum of 3 points.

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
Doctorate Degree	4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Any enlisted rank	1 point
Any officer rank	2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to

Regular Meeting Minutes – November 26, 2012

and/or oral examination by the outside entity and shall so notify any applicant when the initial announcement for the promotional process is posted.

1. **Written Examinations***: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. **Oral Examinations***: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or of any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Police Chief title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council. The record review shall be conducted by the Borough Administrator and the Assistant Borough Administrator.

(a). The interview with the Mayor and Council shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison's form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of

Regular Meeting Minutes – November 26, 2012

experience, education, demonstrated ability, competitive examinations and competitive written submissions within the Madison Police Department in the interest of better serving the residents of the Borough of Madison;

WHEREAS, The Borough of Madison further desires to establish appropriate hiring criteria based on merit, experience, moral character and sufficient physical and mental health when hiring police officers;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Madison as follows:

- 1) Chapter 34 of the Code of the Borough of Madison entitled “Police Department” is hereby amended to create new Sections 34-2(D)-(H), which shall provide as follows:

§34-2(D) Promotion to Rank of Police Chief

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Police Chief. This ordinance establishes the eligibility requirements and the process for promotion to Police Chief. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Police Chief unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of ten (10) years or more. Promotions to the rank of Police Chief shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Borough Administrator shall announce the promotional process to members of the department at least thirty (30) days before any written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Borough Administrator of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotional Testing Procedure:

The promotional testing procedure for the Borough of Madison Police Department may consist of the following: a written examination, an oral examination, a psychological examination, a record review and an interview with the Mayor and Council. The Mayor and Council reserve the right to waive the written examination

Regular Meeting Minutes – November 26, 2012

the curb for yard waste pick up, but larger tree limbs, logs and stumps are the responsibility of the property owner. Mayor Conley also reminded residents not to mix tree limbs and twigs with leaves place at the curb for pick up.

11/26/2012-6 ADOPT SISTER CITY – UNION BEACH NEW JERSEY

Mayor Conley announced an initiative supporting the community of Union Beach, New Jersey, that suffered tremendous damage from super storm Sandy. Mayor Conley noted that the Borough of Union Beach is a small residential community near Keys Port, New Jersey, that lost most of their municipal infrastructure as well as numerous homes. Mayor Conley explained that he will work with the Interfaith Council as well as residents and businesses, to coordinate relief efforts. Mr. Landrigan noted how important this effort is, as the community lost there only public school building as well. Mr. Catalanello noted the importance of the public and private partnership in these relief efforts. Mrs. Vitale noted that the community needs supplies as well as monetary donations and that this is a great opportunity for the residents of Madison to offer help. Mrs. Tsukamoto noted how many residents and business are willing to participate. Mayor Conley will present a concept plan at an upcoming Council meeting.

ADVERTISED HEARINGS

The Clerk made the following statement:

The Ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on November 5, 2012, was introduced by title and passed on first reading, was published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinance 37-2012 for second reading and asked the Clerk to read said ordinances by title:

ORDINANCE 37-2012

ORDINANCE SUPPLEMENTING CHAPTER 34, OF THE CODE OF THE BOROUGH OF MADISON ENTITLED "POLICE DEPARTMENT," ESTABLISHING PROMOTION PROCEDURES FOR THE RANKS OF POLICE CHIEF, CAPTAIN, LIEUTENANT AND SERGEANT AND ESTABLISHING A PROCEDURE FOR ACTING APPOINTMENTS AND HIRING OF POLICE OFFICERS

WHEREAS, within its general powers as a municipality, the Borough of Madison may make and enforce ordinances, rules and regulations not contrary to federal or state law as it deems necessary and to protect the public safety and welfare of its residents; and

WHEREAS, the Mayor and Council of the Borough of Madison support and encourage efficiency within the Madison Police Department; and

WHEREAS, the Mayor and Council of the Borough of Madison have determined that it would be in the best interest of the citizens of the Borough to establish a promotion practice based upon merit for the positions of Police Chief, Captain, Lieutenant and Sergeant when there is a vacancy in said position; and

WHEREAS, the Borough of Madison desires to have a promotional practice for the positions of Police Chief, Captain, Lieutenant and Sergeant based upon merit,

Regular Meeting Minutes – November 26, 2012

E-mail received November 21, 2012 from Gianine Esposito of Taft Lane in Morristown regarding the annual Christmas parade.

INVITATION FOR DISCUSSION (1 of 2)

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

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

AGENDA DISCUSSIONS

11/26/2012-1 APPROPRIATE \$480,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND ROADWAY IMPROVEMENTS ON ROSEDALE AVENUE
After a brief explanation by Mr. Vogel regarding the scope of the project and municipal aid opportunities, there was consensus to list Ordinance 38-2012 for introduction as recommended.

Ordinance 38-2012 is listed for introduction.

11/26/2012-2 APPROPRIATE \$46,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR TWO HVAC UNITS FOR THE MADISON PUBLIC LIBRARY

There was no objection to listing an ordinance for introduction to replace two HVAC units at the Public Library that are passed their usefulness.

Ordinance 39-2012 is listed for introduction.

11/26/2012-3 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
Mr. Codey provided explanation of the Morris County Community Development Block Grant program and a request for generators for senior housing facilities. There was agreement to list a resolution authorizing the submission of the grant application.

Resolution 278-2012 is prepared for Consent Agenda.

11/26/2012-4 APPROPRIATE \$70,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PUBLIC WORKS UTILITY VEHICLE
After a brief explanation by Public Works Superintendent, David Maines, there was consensus to list an ordinance for introduction to appropriate funds to replace a utility vehicle damaged in the recent storm. Mr. Maines explained that insurance will pay replacement cost of approximately \$19,000.00.

Ordinance 40-2012 is listed for introduction.

11/26/2012-5 LARGE DEBRIS REMOVAL

Mayor Conley noted that the Borough has completed substantial storm debris removal, and reminded residents that tree limbs of 3 inches or less may be placed at

Regular Meeting Minutes – November 26, 2012

Public Works and Engineering

Mr. Links, Chair of the Committee, absent.

Finance and Borough Clerk

Mr. Catalanello, Chair of the Committee, made the following comments:
Reporting on behalf of Mr. Links, Mr. Catalanello noted several engineering projects including the Samson Avenue Road Improvements, which will have a bid opening November 27th. The appropriation of funds for improvements to Rosedale Avenue will be considered later this evening and work continues on improvements to the Borough pump stations. The mandatory municipal revaluation initial inspections are now complete. If you have not had an inspection please call the Tax Assessor office or Certified Valuations to schedule an appointment. The revaluation process will be complete for use in the 2013 tax year. Appointments to review your assessment can be made through Certified Valuations at 973-361-2701.

Community Affairs

Mr. Landrigan, Chair of the Committee, made the following comments:
Mr. Landrigan welcomed Council members-elect Astri Baillie and Benjamin Wolkowitz. Mr. Landrigan announced that the Madison Historical Society will hold an annual holiday wreath sale at the Hartley Dodge Memorial on Saturday, December 1st from 1 to 4 p.m. Mr. Landrigan offers his help to residents with any FEMA related inquiries, asking them to please contact him through the Borough Clerk's office.

Health & Public Assistance

Mrs. Vitale of the Committee made the following comments:
Mrs. Vitale congratulated and welcomed Council members-elect Astri Baillie and Benjamin Wolkowitz. Mrs. Vitale reported that the Health Department staff participated in the Christmas parade held, Friday November 23rd. The Health Department will hold a rabies clinic on December 1st and a women's health screening December 12th. Mrs. Vitale recommends that residents take advantage of these and many other services offered at the Health Department.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

E-mail received November 6, 2012 from Ted Dore, Beech Avenue, regarding restoration of power to Beech Avenue.

E-mail received November 6, 2012 from Bill Kennard of Green Avenue thanking the Mayor and Borough Staff for their efforts during and after Hurricane Sandy.

E-mail received November 7, 2012 from Caroline Wilson, Rose Avenue, regarding tree damaged during Hurricane Sandy.

E-mail received November 9, 2012 from Brian Chase, Buckingham Drive, requesting Mayor and Council assistance with building permits.

E-mail received November 17, 2012 from Antoinette LaCorte of Riggs Place regarding membership at the YMCA.

E-mail received November 21, 2012 from Andrejs Billerts of Main Street regarding construction noise on Main Street.

Regular Meeting Minutes – November 26, 2012

Whereas, this crew worked together with the members of the Madison Electric Utility to restore power to Madison neighborhoods with downed utility poles, lines and transformers; and

Whereas, the Louisiana crew having left their homes and families to assist the Borough did a superb job in making Madison one of the first municipalities to have its power restored;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby extend thanks and appreciation to the employees of T&D Solutions for their hard work and dedicated efforts in restoring power to the residents of the Borough of Madison.

Robert H. Conley, Mayor

November 26, 2012

Mayor Conley presented the Mayor's Award for heroic efforts to the following individuals:

Resident Robert Potter for rescuing the Baumgartner family by putting a ladder against their house when they became trapped in their home after it sustained a gas explosion on Monday, October 29th. A dozen red roses are to be presented to Ms. Sharon Baumgartner.

Firefighters James Blair and Troy Pehowic and Police Officer James Cavezza for rescuing Shannon Cadogan and her dog Roxy from a house fire on Park Avenue on Saturday, November 17th. A dozen red roses are to be presented to Ms. Shannon Cadogan.

REPORTS OF COMMITTEES

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
Mrs. Tsukamoto thanked candidates John Hoover and Carmen Pico for their willingness to serve the community and congratulated Council members-elect Astri Baillie and Benjamin Wolkowitz. The Complete Streets committee continues to work on numerous safety improvements in the Borough. The Police Department will be proactive this holiday season in DWI patrol, thanks to additional grant funds for this purpose. The Fire Department reminds residents that a dry Christmas tree is a dangerous hazard and that fireplaces should be cleaned and inspected annually. The Police Department responded to 2279 calls for service this month, including 42 vehicle crashes, made 14 arrests and issued 133 summonses.

Utilities

Dr. Esposito, Chair of the Committee, made the following comments:
Dr. Esposito congratulated Council members-elect Astri Baillie and Benjamin Wolkowitz, and noted that the Electric Utility staff continues to make storm-related repairs.

Regular Meeting Minutes – November 26, 2012

Whereas, the Borough of Madison sustained major damage caused by thirty snapped utility poles and hundreds of fallen trees, as well as a town-wide blackout caused by two downed JCP&L feeder lines; and

Whereas, after the repair of the JCP&L feeder lines, the dedicated members of the Madison Electric Utility worked round-the-clock to restore power to the Borough; and

Whereas, Borough employees were supported in their restoration work by a crew from the Electric Department of the municipality of Dover, Delaware, namely, Tim Porter, Dave Morgan, Dennis Wimer, Mark Lloyd and Eric Long; and

Whereas, this crew, who hails from Delaware's capital city, worked together with the members of the Madison Electric Utility to restore power to Madison neighborhoods with downed utility poles, lines and transformers; and

Whereas, the Dover, Delaware crew having left their homes and families to assist the Borough did a superb job in making Madison one of the first municipalities to have its power restored;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby extend thanks and appreciation to the members of the Dover, Delaware Electric Department for their hard work and dedicated efforts in restoring power to the residents of the Borough of Madison.

Robert H. Conley, Mayor

November 26, 2012

In recognition of the Utility Crew from T&D Solutions of Louisiana for their support to the Madison Electric Utility in restoring power to the residents of the Borough of Madison.

***In Recognition of
The Utility Crew from Louisiana***

Whereas, on October 29, 2012, Superstorm Sandy hit the Northeast, slamming into New Jersey with up to 80 mph winds and an unprecedented 13-foot surge of seawater, causing massive destruction and devastating blackouts; and

Whereas, the Borough of Madison sustained major damage caused by thirty snapped utility poles and hundreds of fallen trees, as well as a town-wide blackout caused by two downed JCP&L feeder lines; and

Whereas, after the repair of the JCP&L feeder lines, the dedicated members of the Madison Electric Utility worked round-the-clock to restore power to the Borough; and

Whereas, Borough employees were supported in their restoration work by a crew from T&D Solutions of Louisiana, namely, Lenny Williamson, Kevin Sasser, Brady Kelly, Charles Coutee, Logan Chaifpied, Jamie Chellette, Shannon Barrett, Cecil Dausat, Kenneth Strange and Lawrence Baines; and

Regular Meeting Minutes – November 26, 2012

***In Recognition of
The Madison Auxiliary Police***

Whereas, these volunteers originally served as air raid wardens in the early 1940's and were formally organized as the Borough of Madison Civil Defense Unit in 1945; and

Whereas, this group was renamed the Madison Auxiliary Police-Civil Defense in 1950; and

Whereas, in November of 1988, the Borough of Madison formally ratified a resolution recognizing this organization as the Borough of Madison Auxiliary Police Unit; and

Whereas, this Unit was placed under the supervision of the Chief of Police for training and for deployment during a declared emergency or disaster; and

Whereas, new members are appointed by the Borough Council after completing a course of 50+ hours at an approved police academy; and

Whereas, in order to maintain active status, members are required by the State Police to continue their training by riding or patrolling with regular police officers and by attending monthly training meetings; and

Whereas, Auxiliary Police members are a source of additional manpower for the Borough and assist at special events such as parades and festivals, and also with increased traffic and crowd control; and

Whereas, the members of the Madison Auxiliary Police are volunteers who have dedicated countless hours to the Borough;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby extend thanks and appreciation to the members of the Madison Auxiliary Police for their efforts, dedication and commitment to the residents of the Borough of Madison.

Robert H. Conley, Mayor
November 26, 2012

In recognition of the Utility Crew from the municipality of Dover, Delaware for their support to the Madison Electric Utility in restoring power to the residents of the Borough of Madison.

***In Recognition of
The Utility Crew from Dover, Delaware***

Whereas, on October 29, 2012, Superstorm Sandy hit the Northeast, slamming into New Jersey with up to 80 mph winds and an unprecedented 13-foot surge of seawater, causing massive destruction and devastating blackouts; and

Regular Meeting Minutes – November 26, 2012

MRC FENCING UPDATE
SOLID WASTE REMOVAL
MADISON COMMUNITY GARDEN

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

LITIGATION MATTERS (2)
BOARD OF HEALTH
PROPERTY TAX APPEAL

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

PERSONNEL MATTERS (1)
POLICE CHIEF PROMOTION

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 September 10, 2012**. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

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

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of September 10, 2012**. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

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

GREETINGS TO PUBLIC

Mayor Conley thanked the members of the Christmas Committee for an enjoyable and well attended Christmas parade held Friday, November, 23, 2012.

Mayor Conley also thanked the staff of the Borough of Madison for their hard work and dedication, in particular during and after Superstorm Sandy.

Mayor Conley presented Proclamations to the following :

In recognition of the Madison Auxiliary Police.

**Proclamation
of the
Borough of Madison**

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

November 26, 2012 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 26th day of November 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
Robert G. Catalanello
Robert Landrigan
Carmela Vitale

Absent: Donald R. Links, excused

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)

Executive Minutes of September 10, 2012

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

CONTRACT MATTERS (6)

LEAF REMOVAL

BOARD OF HEALTH

GVRS UPDATE