

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

**March 26, 2007 - 7:00 p.m.**

**Call to Order**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 26<sup>th</sup> day of March 2007. Mayor Kerkeslager called the meeting to order at 7:00 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 publishing a copy of the meeting notice in 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 4, 2007. Copies of said Notice were made available to members of the general public."

**Roll Call**

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

Mayor Ellwood R. Kerkeslager

Council Members:

Mary-Anna Holden  
Astri J. Baillie  
Donald J. Bowen  
Carmela Vitale

Robert H. Conley

Absent: John M. Elias, excused

Also Present:

Raymond M. Codey, Acting Administrator

Joseph Mezzacca, Jr., Borough Attorney

Marilyn Schaefer, Borough Clerk

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**Reading of Closed Session Resolution**

Mrs. Holden moved:

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

EXECUTIVE MINUTES (1)

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

CONTRACT MATTERS (5)

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

PERSONNEL MATTERS (2)

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

Seconded: Mrs. Vitale

Vote: Approved by voice vote of members present

**Reconvene in Council Chamber**

Mayor Ellwood R. Kerkeslager reconvened the Regular Meeting at 7:45 p.m. in the Council Chamber with all members present except for Mr. Elias, who was absent and excused. The Pledge of Allegiance was recited by all.

**APPROVAL OF MINUTES**

The **Regular Meeting Minutes of March 12, 2007** were approved by voice vote of members present.

The **Executive Minutes of March 12, 2007** were approved by voice vote of members present.

**GREETINGS TO PUBLIC**

Mayor Kerkeslager made the following comments:

Proclamations

There was a large crowd of young artists and parents, along with school art teachers and representatives of First Morris Bank, who stepped forward and gathered to face the audience; they placed on display at the front of the Council Chamber approximately 60 pieces of artwork, which will be displayed to brighten up the areas around the future site of the First Morris Bank Madison Branch during construction; K through 12 artwork was selected by the teachers and reproduced so they could be framed; the artwork will sit on the fence surrounding the First Morris Bank construction site. The following proclamation was read and presented by Mayor Kerkeslager:

**Proclamation**

**of the**  
**Borough of Madison**  
**Proclaiming**  
**Future Artists of Madison Day**  
**March 2007**

**Whereas**, First Morris Bank & Trust invites the public to its grand opening and exhibit of artwork by "Future Artists of Madison" to be held Sunday, April 1, 2007 at 98 Main Street in Madison, the future site of the Madison Branch, beginning at 2:00 p.m.; and

**Whereas**, Future Artists of Madison will showcase approximately 60 reproductions of artwork created by public school students in Grades K-12 from Madison High School, Madison Junior School, Central Avenue School, Torey J. Sabatini School and Kings Road School; and

**Whereas**, immediately following the grand opening, the public is further invited to attend a ceremony and reception at the current First Morris Bank & Trust located at 80 Main Street; and

**Whereas**, in cooperation with National Student Art Month that takes place annually in March, the Borough of Madison recognizes that young artists can be powerful forces in increasing awareness of creativity and new energy found in the youths' expression, color and design, and commends First Morris Bank & Trust for taking the initiative to develop this project in cooperation with Park Lane Photo & Imaging in Chatham;

**Now, therefore**, I, Ellwood R. Kerkeslager, Mayor of the Borough of Madison, do hereby proclaim Sunday, April 1, 2007 as Future Artists of Madison Day and I urge citizens to support young artists by attending First Morris Bank & Trust's Outdoor Art Gallery that will feature the selected artwork.

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Ellwood R. Kerkeslager, Mayor

March 26, 2007

Mayor Kerkeslager read the following proclamation, which will be mailed to the New Jersey Center for Outreach and Services for the Autism Community (COSAC) and Autism Speaks.

**P r o c l a m a t i o n**  
**of the**  
**B o r o u g h o f M a d i s o n**  
**Proclaiming**  
**Autism Awareness Month**  
**April 2007**

**Whereas**, autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

**Whereas**, autism was once thought to be a relatively rare disorder, affecting only one in 10,000 people; and

**Whereas**, as more and more health professionals become proficient in diagnosing autism, more children are diagnosed on the autistic spectrum, resulting in rates as high as one in 500 children; and

**Whereas**, there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

**Whereas**, the New Jersey Center for Outreach and Services for the Autism Community (COSAC), and Autism Speaks are spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects.

**Now, therefore, be it proclaimed** that I, Mayor Ellwood R. Kerkeslager, do hereby proclaim April 2007 as **AUTISM AWARENESS MONTH** in the Borough of Madison, and urge all employees and residents to participate in our municipality's Autism Awareness Month activities in order to become better educated on the subject of autistic spectrum disorders.

Ellwood R. Kerkeslager, Mayor

March 26, 2007

Representatives of the local chapter of the American Red Cross were present and welcomed by all. Mayor Kerkeslager read and presented the following proclamation in honor of the American Red Cross:

**P r o c l a m a t i o n**  
**of the**  
**B o r o u g h o f M a d i s o n**  
**Proclaiming**  
**American Red Cross Month**  
**March 2007**

**Whereas**, for more than a century, the American Red Cross has been at the forefront of helping Americans prevent, prepare for, and respond to, large and small disasters; and

**Whereas**, for the past 90 years, the American Red Cross has relied on the everyday heroes who donate time, blood and money for families and communities that depend on the Red Cross in times of need; and

**Whereas**, the American Red Cross honors the role of the Colonial Crossroads Chapter's contribution to making Madison a better place; and

**Whereas**, the Colonial Crossroads is one of more than 700 chapters across the country whose volunteers tirelessly serve their community, specifically, by responding to local emergencies, assisting military families and training more than 16,000 people in lifesaving skills; and

**Whereas**, the citizens of Madison have made voluntary and financial contributions to assist the American Red Cross in providing immediate relief to victims during emergencies; and

**Whereas**, in the future, the American Red Cross will continue to meet the needs of the public by fostering volunteers who are professional, prepared and committed to continuing the tradition of providing supreme service delivery to the community;

**NOW, THEREFORE**, I, Ellwood R. Kerkeslager, Mayor of the Borough of Madison, do hereby proclaim March 2007 as American Red Cross Month. I urge all Americans to continue to give their time, blood and money to make a difference in the humanitarian fabric of this community. We help each other when we help the Red Cross.

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Ellwood R. Kerkeslager, Mayor

March 26, 2007

Members of Overlook Hospital's Auxiliary were present to receive the following proclamation, which was read and presented by Mayor Kerkeslager, after which all citizens were encouraged to sign donor cards to become organ donors. In addition, permission was granted to the organization to place green ribbons on Madison's trees along Main Street and the Central Business District to increase awareness of this life-saving practice:

**P r o c l a m a t i o n**  
**of the**  
**B o r o u g h o f M a d i s o n**  
**Proclaiming**  
**Donor Life Month**  
**April 2007**

**WHEREAS**, Overlook Hospital's Auxiliary established a Gift of Life Committee in May 1995 whose goal is to make the public aware of tissue and organ donor needs and programs; and

**WHEREAS**, in the United States there are 93,000 waiting for organs (liver, heart, kidney, lungs, pancreas) about 3,000 of whom are from New Jersey; and

**WHEREAS**, approximately 19 people die daily waiting for organs – the Gift of Life; and

**WHEREAS**, those needing tissues (bones, ligaments, heart valves, corneas, skin) are waiting to improve their quality of life;

**NOW, THEREFORE**, I, Ellwood R. Kerkeslager, Mayor of the Borough of Madison, do hereby proclaim the month of April 2007 as DONOR LIFE MONTH and encourage the citizens of Madison to sign donor cards witnessed by two persons, preferably next of kin and, because a donor card becomes a legal document, citizens are asked to share that decision with their families. In addition, permission is hereby granted to the members of the Overlook Hospital Gift of Life Committee to place green ribbons on trees along Main Street and throughout the Central Business District of the Borough of Madison in cooperation with their request to help increase awareness for this lifesaving practice.

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*Ellwood R. Kerkeslager, Mayor*

March 26, 2007

Mrs. Holden was recognized by the Chair and commented:

Citizen-of-the-Year Award

In a surprise for the recipient, Mrs. Holden reported that at the recent Madison Elks Club installation of their officers, Mrs. Holden was asked to accept an award on behalf of a Madison citizen for his selfless devotion to the community; Ellwood R. Kerkeslager has been named Citizen of the Year by the Elks Club! Upon this announcement, there was a grand and long round of applause as Mayor Kerkeslager accepted the award.

**COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communication:

Communication from Deborah Starker who, along with Jerry Vezza, wishes to speak on behalf of the Madison Arts & Cultural Alliance Board about ideas for the future use of the Green Village Road School (GVR) as an arts and education center.

After Council consideration, Mr. Conley moved to stay with the regular sequence of the Agenda, which provides for public input during the "Invitation for Discussion" later in the meeting; Ms. Baillie seconded the motion, which was approved by voice vote of members present.

The Borough Clerk announced that no other communications were received.

## ***REPORTS OF COMMITTEES***

### **Community Affairs**

Mrs. Holden, Chair of the Committee, reported on the following matters:

#### Recreation Fields

Mrs. Holden commented on a small group meeting held to hear complaints and suggestions regarding field maintenance; topics ranged from shared services with Florham Park, manpower issues, issues at Rosedale #1, Bayley-Ellard, Green Village Road softball fields, and artificial surfacing costs, maintenance and best usage; they also discussed possible partnerships in land ownership with Morris County. Out of this meeting and subsequent follow-up, partnerships were forged whereby softball and Little League, among others, will participate in May Day and continue by adopting fields. Mrs. Holden reported on a meeting with Superintendent of Public Works David Maines and presented a wish list of what the department would/could do; one of Mr. Maines' primary focuses, with the help of volunteers, will be weeding and striving for a healthy turf; the volunteers will explore additional funding to supplement and enhance the Public Works efforts.

#### Little League Parade

Mrs. Holden thanked Mayor Kerkeslager and Council Members Baillie and Conley who joined Mrs. Holden this weekend at opening day festivities for softball and Little League, including the parade; there are nearly 1,000 children who are involved in the programs this spring and summer.

#### Pancake Breakfast at Elks Club

Mrs. Holden thanked the Elks Club where nearly 400 breakfasts were served and extended thanks to all the helpers who prepared the food.

#### Child I.D. Day

Mrs. Holden thanked the Madison Masonic Lodge for holding a Child I.D. Day; this worked out perfectly because the photos for the teams were being done in the Junior School, so individuals went from the Junior School to the Masonic Lodge to the Elks Club breakfast.

#### Income Tax Forms

The Senior Citizens Center continues to offer preparation of taxes for seniors; this help will continue until April 11, 2007; interested seniors may call the center at (973) 593.3095 for more information.

#### Community Center's Thursday Morning Club

The Thursday Morning Club was commended for a very successful fundraiser for its capital campaign.

### ~~Downtown Development Commission (DDC)~~

The Parking and Redevelopment Committee of the DDC has been meeting regularly, and discussions were held recently in promoting better signage to parking spots, development of a new paper map highlighting these spaces, and an interactive map indicating where the nearest parking is available when going to a particular Madison destination; discussions seek to maximize the existing parking inventory. The Public Improvement Committee of the DDC is hopeful that an offer by Brad Cramer of Cramers Carpet One to power wash the downtown sidewalks will be successful for May Day and hopefully remove much of the gum on Madison's downtown pavers; a monthly award was contemplated for the best-kept and/or improved storefront property in the downtown; this award would be different from the Chamber of Commerce Store Window Display Award. At the last meeting of the DDC, Don Smartt, Madison's first Downtown Manager, addressed the group; he spoke about a Special Improvement District.

### ~~May Day~~

May Day is May 5, 2007. Sponsors and volunteers continue to be needed. The Mayor, Council and Administrator will work this year at the Train Station near the Copper Beech Tree.

### ~~Chamber of Commerce~~

The Chamber of Commerce at its last meeting discussed Life Coaching; Mrs. Holden was pleased with the Chamber working together to help one another.

### ~~Art Show~~

The Art Show on June 2, 2007, will include interactive artwork downtown.

### ~~Madison Community Pool~~

Mrs. Holden met with members of the Madison Community Pool, who discussed some maintenance issues and changes they would like to make at the site; they will speak with the Construction Official about these matters.

### **Utilities**

Ms. Baillie , Chair of the Committee, reported on the following matters:

#### ~~Joint Meeting Report~~

The Operating Committee of the Madison-Chatham Joint Meeting met recently and requested from Superintendent Chris Manak information regarding plant capacity and how much more each town (Chatham and Madison) could be allowed to develop before meeting the plant limit; besides an aging infrastructure, there is a finite capacity at the plant.

#### ~~Electric Rates~~

Ms. Baillie thanked Madison's new Administrator; the Borough is facing an overall energy cost for

electric; Madison's contract will be substantially more than it was three years ago; Madison officials need to explain this to the public because there will be a 9% rate increase; the new Administrator, knowing communication is a good thing, had inserted in the electric bill an explanation of what has happened and why rates are increased.

#### Electric Department

The Electric Department has been occupied working on new riser poles on Elmer Street to provide service to the First Morris Bank by April 1, 2007. They will soon return to the reconstruction of underground cable and equipment in the commercial district.

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

Mr. Bowen, Chair of the Committee, reported on the following matter:

Everyone has probably heard about the stomach virus going around at Fairleigh Dickinson University. The Madison Health Officer reported six cases in Madison schools on Wednesday, three on Thursday, none reported on Friday; there were two cases reported today, Monday. The feeling is that it has stabilized and the public should follow good sanitary procedures of frequently washing hands with soapy water long enough to sing Happy Birthday twice.

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

Mrs. Vitale, Chair of the Committee, reported on the following matter:

Mrs. Vitale advised that Superintendent of Public Works David Maines is beginning work on the fields after all the snow. Mrs. Vitale thanked the DPW workers for working 32 hours straight getting rid of the last snow, which was the biggest surprise the Borough had this year.

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

Mr. Elias, Chair of the Committee, absent.

#### **Public Safety**

Mr. Conley, Chair of the Committee, no report.

Mayor Kerkeslager commented on the following:

#### Service Anniversaries

Patrolman Wayne Reed is celebrating his 20th anniversary with the Borough.

Lt. Anthony "Zeke" DeVincenzo has reached his 35th anniversary.

#### ***Agenda Discussions***

**03/26/07-1** review FIRE/POLICE BUILDING capital project (RAV);

HDM RENOVATIONS (RAV); REVIEW OF RELOCATION AND RENOVATIONS (RAV)

Mr. Vogel addressed the Mayor and Council and reported that there is continuing progress at the new Fire & Police building site; there is a contractual meeting this Wednesday which will include Borough Attorney Joseph Mezzacca, Jr., Administrator Raymond M.Codey, Architect Bob Russell, and Gilbane; Mr. Vogel expressed hope to continue to make progress with Eastern Builders towards to the closeout of the project; there are ongoing discrepancies between the approvals and claims for payment.

**03/26/07-2** SPACE RELOCATION PLAN FOR ALL EMPLOYEES AT ALL LOCATIONS

Mr. Vogel addressed the Mayor and Council; the potential relocation space at the Civic Center, including circulation areas, has 2,900 square feet of usable space; not all employees needing to relocate from the Hartley Dodge building can fit into that space; Mr. Vogel reiterated the need to look beyond the Civic Center for solutions; it is Mr. Vogel's understanding that trailers were somewhat discouraged due to parking issues; 10 Maple Avenue may be an option for two trailers if needed; there are lease options also available—the Elks Club and First Morris Bank—which are attractive options. As to taking a harder look at the basement of the new Fire & Police building, there are memos in Council packages which indicate that while the floor area would be usable for relocation purposes, the complications include costs for renovation, security and operational issues, and is a more difficult solution than it would appear. Essentially, the recommendations are that Mr. Vogel would like to move ahead with securing what space the Borough can find to supplement the Civic Center in terms of staffing needs; some changes considered were taking the Mayor's office and the Downtown Manager's office out of the Civic Center to make more room for more tightly connected staff such as the Assessor, the Collector and Violations Bureau; more independent offices could be put at 10 Maple Avenue. Discussions included the cost to renovate the Civic Center to be approximately \$175,000; it will have to be bid within 30 to 45 days; the Hartley Dodge building needs to be bid in April; the Elks Club is not handicapped accessible; Mr. Vogel commented that the effort is toward the best possible use of the space at the Borough, considering most reasonable costs and maintaining security issues. Mr. Vogel was asked to sit down with Mr.Codey, figure out where to put relocated employees, and come back with a plan.

There were further comments regarding concerns with the use of basement space at the new Fire & Police building—it is appropriate for temporary storage, not public access; as to the First Morris Bank space, they are waiting to hear from Madison; there was a suggestion to ask First Morris Bank to collect payments for the Borough through their drive-up window; as to the Elks Club, it appears to be a reasonable space for Land Use Services; there is good on-site parking available. The final plan should be presented to Council at the next meeting.

**03/26/07-3** AWARD CONTRACT FOR CENTRAL AVENUE EMERGENCY SEWER LINING

Mrs. Vitale moved approval of Borough Engineer Robert Vogel's recommendation to award a contract to Insituform Technologies, Inc. in the amount of \$55,145.00 for Central Avenue sewer lining. Mrs. Holden seconded the motion, which passed by voice vote of members present.

A resolution is listed on the Consent Agenda; an ordinance amending prior Ordinance 40-2006 to increase the amount of appropriation to \$9,145.00 for this purpose is listed for introduction.

**03/26/07-4 AWARD CONTRACT TO CHATHAM MAIN CO. (\$85,014.89), THE NATIONAL WATER MAIN CO. (\$19,752.62) AND KENNEDY PIPE CO. (\$2,366.14) FOR WOODLAND SEWER REPLACEMENT**

Mrs. Vitale moved approval of Borough Engineer Robert Vogel's recommendation to award contracts as indicated above for Woodland sewer replacement. Mrs. Holden seconded the motion, which passed by voice vote of members present.

A resolution is listed on the Consent Agenda.

**03/26/07-5 APPROPRIATE \$55,000.00 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR WOODLAND ROAD DESIGN WORK**

Mrs. Vitale moved approval of Borough Engineer Robert Vogel's recommendation to appropriate \$55,000.00 from the General Capital Improvement Fund for Woodland Road design work. Mrs. Holden seconded the motion. Discussions included that the 2005 estimate from Omland has to be updated before a resolution is passed for the design work; the items on the 2005 proposal which can be modified would be the State Aid application, which the Borough Engineer is able to do himself; also, the construction oversight is more appropriately authorized at the point at which the construction contract begins, so those would be taken out of the 2005 estimate; Mr. Vogel will check on the grant application for municipal aid. Mr. Vogel commented that a discussion and agreement from the Borough and neighborhood input will ensue as to all the details including road width, optional sidewalks and traffic calming; it was agreeable that a special meeting inviting public input will be scheduled. At the conclusion of discussion, the motion passed by voice vote of members present.

An ordinance is listed for introduction later in the meeting. A resolution of award will be listed after final adoption of said ordinance.

**03/26/07-6 APPROPRIATE \$50,000.00 FROM the General Capital Improvement Fund for Pump Station Modernization work**

Mrs. Holden moved approval of Borough Engineer Robert Vogel's recommendation to appropriate \$50,000.00 from the General Capital Improvement Fund for pump station modernization work. Mr. Conley seconded the motion, which passed by voice vote of members present.

An ordinance is listed for introduction later in the meeting. A resolution of award will be listed on a future agenda.

**03/26/07-7 APPROPRIATE FUNDS \$15,000.00 FROM WATER CAPITAL IMPROVEMENT FUND TO PURCHASE A CAR FOR THE METER READER**

Mrs. Holden moved approval of Superintendent of Public Works David Maines' recommendation to appropriate \$15,000.00 from the General Capital Improvement Fund for pump station modernization work. Ms. Baillie seconded the motion, which passed by voice vote of members present.

An ordinance is listed for introduction later in the meeting.

**03/26/07-8 APPROPRIATE \$15,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND (DM);**

**AND APPROPRIATE \$15,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR ASBESTOS ABATEMENT AT THE WATER & LIGHT PLANT**

Mrs. Holden moved approval of Superintendent of Public Works David Maines' recommendation to appropriate \$15,000.00 from the Water Capital Improvement Fund for asbestos abatement at the Water & Light Plant, and Electric Utility Superintendent Michael Piano's recommendation to appropriate \$15,000.00 from the Electric Capital Improvement Fund for the same purpose. The motion was seconded by Ms. Baillie and carried by voice vote of members present.

Two ordinances are listed for introduction later in the meeting.

**03/26/07-9 APPROPRIATE \$15,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A NEW VEHICLE FOR THE METER READER**

Mrs. Holden moved approval of Electric Utility Superintendent Michael Piano's recommendation to appropriate \$15,000.00 from the Electric Capital Improvement Fund for the purchase of a new vehicle for the meter reader. Ms. Baillie seconded the motion, which passed by voice vote of members present.

An ordinance is listed for introduction later in the meeting.

**03/26/07-10 reject the sole bid for the madison police networked alarm monitoring system and authorize a negotiation of the contract**

Mr. Conley moved approval of Police Chief Chirico's recommendation to reject the sole bid for the Madison Police Networked Alarm Monitoring System and authorize a negotiation of the contract. Mrs. Holden seconded the motion, which passed by unanimous voice vote of members present.

A resolution is listed on the Consent Agenda.

**03/26/07-11 APPROPRIATE \$20,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF STALKER SYSTEM**

Mrs. Vitale moved approval of Police Chief Chirico's recommendation to appropriate \$20,000.00 from the General Capital Improvement Fund for purchase of a stalker system. Mrs. Holden seconded the motion. Comments from the Police Chief included that the previous stalker did slow traffic, while this system will record average speed and will provide feedback. The motion passed by voice vote of members present.

An ordinance is listed for introduction later in the meeting.

**03/26/07-12 APPROPRIATE \$32,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR FIRE DEPARTMENT VEHICLE**

Mrs. Vitale moved approval of Fire Chief Atchison's recommendation to appropriate \$32,000.00 from the General Capital Improvement Fund for a Fire Department vehicle. Ms. Baillie seconded the motion, which passed by unanimous voice vote of members present.

An ordinance will be listed for introduction on the April 9, 2007 Agenda.

**03/26/07-13 CONTINUE DISCUSSION OF THE PROPOSED OVERLAY ZONE FOR THE COMMUNITY COMMERCIAL ZONE**

Ms. Baillie commented that Council previously received a proposed overlay zone for consideration from the Planning Board; a public hearing was held where Borough Planning Consultant D. Zimmerman's report was summarized; before Council returns the report with comments to the Planning Board, questions need to be asked regarding density, height, setback, etc; once the Mayor and Council have a meeting with the Planner and some directives, the Planning Board can define the overlay and move forward. There was agreement to ask Mr. Zimmerman to attend a meeting for this purpose; MCodey will make the arrangements.

**03/26/07-14 AD HOC ADVISORY COMMITTEE FOR THE LIVESSEY PROPERTY**

Ms. Baillie moved approval of an Ad Hoc Advisory Committee for the Livesey property. Mr. Bowen seconded the motion, which passed by voice vote of members present. MsBaillie will submit names for the Committee by the next meeting.

A resolution will be listed on the April 9, 2007 Consent Agenda.

**03/26/07-15 APPROPRIATE \$30,000.00 FOR THE PURCHASE OF TWO VEHICLES FOR THE HEALTH DEPARTMENT**

Mr. Bowen moved approval of Health Officer John Theese's recommendation to appropriate \$30,000.00 from the General Capital Improvement Fund for the purchase of two vehicles for the Health Department. Mr. Conley seconded the motion. There was one Council question as to whether the Health Department vehicles are taken home. Mr. Bowen will check on this. The motion passed by voice vote of members present.

An ordinance will be listed for introduction on the April 9, 2007 Agenda.

***Invitation for Discussion by the Public***

Mayor Kerkeslager opened the meeting to the public for their opportunity to ask questions and make comments. Mayor Kerkeslager 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 five (5) minutes or less.

**Sam Cerciello, Park Avenue**, wondered where all the funds being appropriated recently are coming from; felt Borough officials could keep the employees in the Hartley Dodge building during renovations; commented on what to do with the old health building and that there is not enough parking for merchants in Madison; there is not enough shopper parking in Madison; commented on how restaurants draw people to Madison and that parking is needed; Mr.Cerciello offered to speak to the Board of Education about working together on a parking issue solution.

**Deborah Starker, representing the Madison Arts & Cultural Alliance**, along with Jerry Vezza, who spoke later in the meeting, expressed the wish to fill in the Mayor and Council on where the Madison

Arts & Cultural Alliance stands; the organization was formed a few years ago with the main purpose of establishing a conduit for the diverse artists in Madison; the organization envisions Madison becoming a destination and center for the arts; their new website will be up and running in a couple of days; art venues are available to everyone; they promote working, sharing ideas and providing support; the dream of the Alliance is to create a center for arts and education here in downtown Madison, which they believe will help feed the economic engine of the central business district; they believe this can happen at the Green Village Road School site; the Alliance wants to bridge the gap between the Board of Education and the Council; in 2005 the Board of Education report on the Green Village Road School was very comprehensive and recommended that the entire property be transferred to the Borough; Mrs. Starker commented that the Alliance wants to be the organization to do this at no cost to the taxpayer; the Alliance now has 501:3c status, received last year; they are beginning the process to get their Board to address this project; all of these things are possible; their plan is beginning to take shape; this is in preliminary stages; Mrs. Starker commented that the Alliance has commitments from individuals who know how to move the idea forward; musicians, writers and educators know how to collaborate; they want to create a center that will be here for everyone in Madison; Madison needs an arts and education center and it needs to be in the downtown.

**Jerry Vezza, Wisteria Court, Board of Directors,MACA**, is a self-employed musician; Mr. Vezza commented that he knows a lot of people; everybody loves this town; Madison has great shops, a great downtown; has colleges nearby; Mr. Vezza mentioned that Lincoln Center chose to do a concert here in Madison; Mr. Vezza strongly supported keeping the Green Village Road School (GVR) and transforming it into an arts and education center; and commented that if Madison doesn't take advantage of this opportunity, the Borough will probably lose the Playwrights Theatre; he spoke of his and his colleagues vision; the Board of Education has given the green light; Mr. Vezza wants to transform GVR by inviting a variety of other groups who can collaborate on projects and share space and equipment; there could be opportunities for senior citizens; the site could have athletic storage in the basement for those teams who use the fields there; Mr. Vezza commented that this will add revenue to Madison; in closing, Mr. Vezza stated that there is a long way to go and saw this as an opportunity for the entire community of Madison to have an arts and education center in the downtown.

There followed Council discussion in terms of continuing the dialogue; the Administrator was asked to speak with the Board of Education about a special meeting where no formal action would be taken and ideas would be shared in a public forum on an agreed-upon Wednesday night, preferably at the Green Village Road School.

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

### ***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 March 12, 2007, 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 Kerkeslager called up Ordinances for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 7-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND TO ENCLOSE THE GENERATOR ON NORTH STREET**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund to build a generator building at North Street; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$30,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund to build a generator building at North Street; 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 \$30,000.00 is hereby appropriated from the General Capital Improvement Fund to build a generator building at North Street.

**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 Kerkeslager opened the hearing on the above ordinance and asked if anyone wished to be heard. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 7-2007, which the Clerk read by title, be finally adopted. Mr. Bowen seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

Mayor Kerkeslager declared Ordinance 7-2007 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 8-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO  
PURCHASE TWO LAWN MOWERS**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$40,000.00 from the General Capital Improvement Fund to purchase two lawn mowers for use by the Public Works Department; and

**WHEREAS**, the Director of Finance 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 to purchase two lawn mowers; 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 \$40,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase two lawn mowers.

**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 Kerkeslager opened the hearing on the above ordinance and asked if anyone wished to be heard. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 8-2007, which the Clerk read by title, be finally adopted. Mrs. Holden seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

Mayor Kerkeslager declared Ordinance 8-2007 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 9-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO  
PURCHASE ONE PICKUP TRUCK**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$40,000.00 from the General Capital Improvement Fund to purchase one pickup truck for use by the Public Works Department; and

**WHEREAS**, the Director of Finance 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 to purchase one pickup truck; 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 \$40,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase one pickup truck.

**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 Kerkeslager opened the hearing on the above ordinance and asked if anyone wished to be heard. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 9-2007, which the Clerk read by title, be finally adopted. Mrs. Holden seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

Mayor Kerkeslager declared Ordinance 9-2007 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 10-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$180,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO  
PURCHASE ONE STREET SWEEPER**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$180,000.00 from the General Capital Improvement Fund to purchase one street sweeper; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$180,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$180,000.00 from the General Capital Improvement Fund to purchase one street sweeper; 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 \$180,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase one street sweeper.

**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 Kerkeslager opened the hearing on the above ordinance and asked if anyone wished to be heard. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 10-2007, which the Clerk read by title, be adopted. Mrs. Holden seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

Mayor Kerkeslager declared Ordinance 10-2007 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

***Introduction of Ordinances***

The Clerk made the following statement

The Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of **April 9, 2007** in the Council Chamber of the Hartley Dodge Memorial, Kings Road in the Borough of Madison at 7:45 p.m., or as soon thereafter as practical, for further consideration and final adoption, will be published in the Madison Eagle, be posted at the main entrance to the Hartley Dodge Memorial and be made available to members of the public requesting same, as required by law.

Mayor Kerkeslager called up Ordinances for first reading and asked the Clerk to read the ordinances by title.

### **ORDINANCE 11-2007**

#### **ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$8,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR NEW RADIOS AND RADIO EQUIPMENT FOR THE POLICE DEPARTMENT**

**WHEREAS**, the Chief of Police has recommended that the Borough appropriate \$8,000.00 from the General Capital Improvement Fund for new radios and radio equipment for the Police Department; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$8,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$8,000.00 from the General Capital Improvement Fund for new radios and radio equipment for the Police Department; 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 \$8,000.00 is hereby appropriated from the General Capital Improvement Fund for new radios and radio equipment for the Police Department.

**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. Conley moved that Ordinance 11-2007, which the Clerk read by title, be adopted. Mrs. Holden seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

**ORDINANCE 12-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$15,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
NINE (9) FRX DEFIBRILLATORS**

**WHEREAS**, the Chief of Police has recommended that the Borough appropriate \$15,000.00 from the General Capital Improvement Fund to purchase nine (9)FRX defibrillators; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$15,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$15,000.00 from the General Capital Improvement Fund to purchase nine (9)FRX defibrillators; 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 \$15,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase nine (9)FRX defibrillators.

**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. Conley moved that Ordinance 12-2007, which the Clerk read by title, be adopted. Mrs. Holden seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

**ORDINANCE 13-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$15,000.00 FROM WATER CAPITAL IMPROVEMENT FUND FOR  
PURCHASE OF CAR FOR WATER METER READER**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$15,000.00 from the Water Capital Improvement Fund to purchase a car for the water meter reader; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$15,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$15,000.00 from the Water Capital Improvement Fund to purchase a car for the water meter reader; 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 \$15,000.00 is hereby appropriated from the Water Capital Improvement Fund to purchase a car for the water meter reader.

**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.

Ms. Baillie moved that Ordinance 13-2007, which the Clerk read by title, be adopted. Mr. Bowen seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

**ORDINANCE 14-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$15,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND TO  
PURCHASE A NEW VEHICLE FOR THE ELECTRIC METER READER**

**WHEREAS**, the Electrical Utility Superintendent of has recommended that the Borough appropriate \$15,000.00 from the Electric Capital Improvement Fund to purchase a new vehicle for the electric meter

reader; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$15,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$15,000.00 from the Electric Capital Improvement Fund to purchase a new vehicle for the electric meter reader; 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 \$15,000.00 is hereby appropriated from the Electric Capital Improvement Fund to purchase a new vehicle for the electric meter reader.

**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.

Ms. Baillie moved that Ordinance 14-2007, which the Clerk read by title, be adopted. Mr. Bowen seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

### **ORDINANCE 15-2007**

#### **ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$15,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR ASBESTOS ABATEMENT FROM THE WATER & LIGHT PLANT**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$15,000.00 from the Water Capital Improvement Fund for asbestos abatement from the water & light plant; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$15,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$15,000.00 from the Water Capital Improvement Fund for asbestos abatement from the water & light plant; 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 \$15,000.00 is hereby appropriated from the Water Capital Improvement Fund for asbestos abatement from the water & light plant.

**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.

Ms. Baillie moved that Ordinance 15-2007, which the Clerk read by title, be adopted. Mr. Bowen seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

### **ORDINANCE 16-2007**

#### **ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$50,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PUMP STATION MODERNIZATION WORK**

**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$50,000.00 from the General Capital Improvement Fund for pump station modernization work; and ;

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$50,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$50,000.00 from the General Capital Improvement Fund for pump station modernization work; 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 \$50,000.00 is hereby appropriated from the General Capital Improvement Fund for pump station modernization work.

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

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

Mrs. Vitale moved that Ordinance 16-2007, which the Clerk read by title, be adopted. Mrs. Holden seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

### **ORDINANCE 17-2007**

#### **ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$55,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR WOODLAND ROAD DESIGN WORK**

**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$55,000.00 from the General Capital Improvement Fund for Woodland Road design work; and ;

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$55,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$55,000.00 from the General Capital Improvement Fund for Woodland Road design work; 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 \$55,000.00 is hereby appropriated from the General Capital Improvement Fund for Woodland Road design work.

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

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

Mrs. Vitale moved that Ordinance 17-2007, which the Clerk read by title, be adopted. Mr. Conley

seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

### **ORDINANCE 18-2007**

#### **ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$20,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A STALKER MESSAGE BOARD**

**WHEREAS**, the Chief of Police has recommended that the Borough appropriate \$20,000.00 from the General Capital Improvement Fund to purchase a stalker message board for the Police Department; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$20,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$20,000.00 from the General Capital Improvement Fund to purchase a stalker message board for the Police Department; 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 \$20,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a stalker message board for the Police Department.

**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. Conley moved that Ordinance 18-2007, which the Clerk read by title, be adopted. Mrs. Holden seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

**ORDINANCE 19-2007**

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING ORDINANCE 40-2006 TO INCREASE THE APPROPRIATION FROM THE GENERAL CAPITAL IMPROVEMENT FUND OF \$46,000.00 TO \$55,145.00, AN INCREASE OF \$9,145.00 FOR CENTRAL AVENUE SEWER LINING**

**WHEREAS**, Ordinance 40-2006 of the Borough of Madison appropriated \$46,000.00 from the General Capital Improvement Fund for sanitary sewer main lining on Central Avenue; and

**WHEREAS**, the Borough Engineer has recommended that the Borough amend Ordinance 40-2006 to appropriate an additional \$9,145.00 from the General Capital Improvement Fund thereby increasing Ordinance 40-2006 to \$55,145.00 to provide for payment to Insituform Technologies, Inc. for the sanitary sewer main lining on Central Avenue so this project can be closed out; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$9,145.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should amend Ordinance 40-2006 to appropriate an additional \$9,145.00 from the General Capital Improvement Fund thereby increasing Ordinance 40-2006 to \$55,145.00 to provide for payment to Insituform Technologies, Inc. for the sanitary sewer main lining on Central Avenue so this project can be closed out.

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

**SECTION 1:** Ordinance 40-2006 is amended to appropriate \$9,145.00 from the General Capital Improvement Fund thereby increasing Ordinance 40-2006 to \$55,145.00 to provide for payment to Insituform Technologies, Inc. for the sanitary sewer main lining on Central Avenue so this project can be closed out.

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

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

Mrs. Vitale moved that Ordinance 19-2007, which the Clerk read by title, be adopted. Mr. Conley seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

**ORDINANCE 20-2007**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$15,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR  
ASBESTOS ABATEMENT FROM THE WATER & LIGHT PLANT**

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$15,000.00 from the Electric Capital Improvement Fund for asbestos abatement from the water & light plant; and

**WHEREAS**, the Director of Finance has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$15,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$15,000.00 from the Electric Capital Improvement Fund for asbestos abatement from the water & light plant; 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 \$15,000.00 is hereby appropriated from the Electrical Capital Improvement Fund for asbestos abatement from the water & light plant.

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.

Ms. Baillie moved that Ordinance 20-2007, which the Clerk read by title, be adopted. Mr. Bowen seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

***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. Holden moved adoption of the Resolutions listed on the Consent Agenda. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

**R 69-2007**

**RESOLUTION OF THE BOROUGH OF MADISON APPROVING PLACEMENT OF A PLAQUE AT COLE PARK COMMEMORATING THE GIFT OF COLE PARK GIVEN TO THE BOROUGH OF MADISON BY HOWARD GRANT COLE IN LOVING MEMORY OF HIS WIFE LOUISE COLE ON JULY 27, 1918**

**WHEREAS**, Cole Park, located in the Borough of Madison, was generously dedicated to the Borough by Howard Grant Cole in loving memory of Louise Cole on July 27, 1918; and

**WHEREAS**, the Madison Borough Council authorized a memorial plaque to be placed in Cole Park by and at the request of Howard Grant Cole on December 28, 1938, which permission was reaffirmed by the Borough Council on June 22, 1945; and

**WHEREAS**, although said plaque was approved by the Borough Council, it was never placed on the premises; and

**WHEREAS**, the Council wishes to authorize the placement of a plaque in Cole Park in connection with the Madison Historical Society program in April, 2007, at which the grandson of Howard Grant Cole, Howard Dunwoody Cole, will participate; and

**WHEREAS**, the Madison Parks Advisory Committee has requested permission to install a small plaque in Cole Park with the following inscription:

Cole Park

Was given to the

Borough of Madison by

Howard Grant Cole

In loving memory of his wife

Louise Cole

July 27, 1918

**WHEREAS**, the Mayor and Council have determined to approve such request.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that the request of the Madison Parks Advisory Committee to install a small plaque in Cole Park with the inscription as set forth herein is hereby authorized and approved.

**BE IT FURTHER RESOLVED** that the location of the plaque be determined in consultation with the Superintendent of Public Works in consideration of a location found to be satisfactory by Howard Dunwoody Cole.

**BE IT FURTHER RESOLVED** that the Borough of Madison expresses its gratitude for the gift of Cole Park by Howard Grant Cole in 1918.

**R 70-2007**

**RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PAYMENT  
IN THE AMOUNT OF \$55,145.00 TO INSITUFORM TECHNOLOGIES, INC.  
FOR CENTRAL AVENUE SEWER LINING COMPLETED ON AN  
EMERGENCY BASIS**

**WHEREAS**, the Borough Engineer has advised the Council that the sewer main on Central Avenue required emergency lining in order to protect the health and welfare of the public; and

**WHEREAS**, the Borough expended \$55,145.00 to line the sewer main on an emergency basis, pursuant to N.J.S.A. 40A:11-6, and

**WHEREAS**, the Borough Engineer engaged the services of Insituform Technologies, Inc. to perform the emergency work; and

**WHEREAS**, the Borough Engineer has requested that the Borough authorize payment to Insituform Technologies, Inc. in the amount of \$55,145.00 for such work which payment is authorized pursuant to N.J.S.A 40A:11-6(b); and

**WHEREAS**, the Borough Council has determined to authorize payment in the amount of \$55,145.00 for the emergency services performed; and

**WHEREAS**, the Director of Finance has attested that funds are available in the amount of \$55,145.00 for this purpose, upon final adoption of Ordinance 19-2007.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that payment in the amount of \$55,145.00 is authorized to be made to Insituform Technologies, Inc. for the emergency services it performed as described herein.

**R 71-2007**

**RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PAYMENTS TO CHATHAM MAIN CONTRACTORS IN THE AMOUNT OF \$85,014.89, TO THE NATIONAL WATER MAIN CLEANING CO. IN THE AMOUNT OF \$19,752.62, AND TO THE KENNEDY CULVERT & SUPPLY CO. IN THE AMOUNT OF \$2,366.14 FOR WOODLAND ROAD SEWER REPLACEMENT COMPLETED ON AN EMERGENCY BASIS**

**WHEREAS**, the Borough Engineer has advised the Council that the sewer main on Woodland Road required emergency replacement in order to protect the health and welfare of the public; and

**WHEREAS**, the Borough expended \$107,133.65 to line the sewer main on an emergency basis, pursuant to N.J.S.A. 40A:11-6, and

**WHEREAS**, the Borough Engineer engaged the services of Chatham Main Co., National Water Main Co., and Kennedy Pipe Co. to perform the emergency work; and

**WHEREAS**, the Borough Engineer has requested that the Borough authorize payment to of Chatham Main Co. in the amount of \$85,014.89 for such work which payment is authorized pursuant to N.J.S.A. 40A:11-6(b); and

**WHEREAS**, the Borough Engineer has requested that the Borough authorize payment to of National Water Main Co. in the amount of \$19,752.62 for such work which payment is authorized pursuant to N.J.S.A 40A:11-6(b); and

**WHEREAS**, the Borough Engineer has requested that the Borough authorize payment to of Kennedy Pipe Co. in the amount of \$2,366.14 for such work which payment is authorized pursuant to N.J.S.A 40A:11-6(b); and

**WHEREAS**, the Borough Council has determined to authorize payment in the amount of \$107,133.65 for the emergency services performed; and

**WHEREAS**, the Director of Finance has attested that funds are available in the amount of \$107,133.65 for this purpose, which funds were appropriated by Ordinance 3-2007.

**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:

Payment in the amount of \$85,014.89 is authorized to be made to Chatham Main Co. for the emergency services it performed as described herein.

Payment in the amount of \$19,752.62 is authorized to be made to National Water Main Co. for the emergency services it performed as described herein.

Payment in the amount of \$2,366.14 is authorized to be made to Kennedy Pipe Co. for the emergency services it performed as described herein.

**R 72 - 2007**

**RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO MADISON JR. SCHOOL**

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

**PTO MADISON JR. SCHOOL**

**I.D. No. 274-5-26391**

**R.A. No. 1045 – On Premises**

**May 12, 2007**

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

**R 73 - 2007**

**RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON HIGH SCHOOL EDUCATIONAL FOUNDATION TO CONDUCT AN ON-PREMISES MERCHANDISE RAFFLES GAME ON SUNDAY, MAY 6, 2007**

**WHEREAS**, N.J.S.A. 5:8-1 *et seq.* and N.J.A.C. 13:47-1.1 *et seq.* prohibit the conducting of games of chance on Sunday unless specifically authorized by a duly adopted municipal ordinance; and

**WHEREAS**, on March 8, 1982, the Council of the Borough of Madison adopted Ordinance No. 5-82 to allow the Council, by resolution, to permit qualified organizations to conduct games of chance on Sunday; and

**WHEREAS**, the New Jersey Legalized Games of Chance Control Commission has issued Registration Identification No. 274-5-36429 to the Madison High School Educational Foundation; and

**WHEREAS**, an Application for Raffles License, together with all necessary documents and fees, has been submitted to the Madison Borough Clerk's Office by the Madison High School Educational Foundation to conduct an On-Premises Merchandise Raffles Game on Sunday, May 6, 2007, at the Madison High School, 170 Ridgedale Avenue, Madison;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the aforementioned Application for Raffles License, R.A. No. 1046, to be held as listed above, be and the same is hereby approved.

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

**R 74-2007**

**RESOLUTION OF THE BOROUGH OF MADISON REJECTING SOLE BID FOR ALARM MONITORING AND AUTHORIZING NEGOTIATION**

**WHEREAS**, the Borough of Madison publicly advertised on three occasions for bids for the Madison Police Networked Alarm Monitoring System in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the sole bid received in response to the first bid opening was non-responsive and was rejected; and

**WHEREAS**, no bids were received in response to the second bid opening; and

**WHEREAS**, the Borough has received one bid in response to the third bid opening; and

**WHEREAS**, the sole bid received from the third bid advertisement substantially exceeds the cost estimates for the project; and

**WHEREAS**, the Chief of Police recommends that the bid received for the Madison Police Networked Alarm Monitoring System be rejected, pursuant to N.J.S.A. 40A:11-13.2(a); and

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(3), et seq., if the Borough has advertised for bids on at least two occasions and either did not receive any bids, or all bids were rejected, the Borough may then negotiate a contract with a vendor for the services required; and

**WHEREAS**, the Chief of Police has recommended that the Purchasing Agent be authorized to negotiate with a vendor for the Madison Police Networked Alarm Monitoring System.

**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 sole bid received for the Madison Police Networked Alarm Monitoring System is hereby rejected for the reasons set forth herein, and the Purchasing Agent is authorized to negotiate a contract with a vendor.

**R 75-2007**

**RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MEMORIAL DAY PARADE AND CEREMONY FOR MONDAY, MAY 28, 2007**

**WHEREAS**, The Madison Veterans Committee has requested permission to hold a Memorial Day Parade and Ceremony on Monday, May 28, 2007; and

**WHEREAS**, the parade will begin at 9:30 a.m., and proceed on a route approved by the Madison Borough Police Chief, said route beginning at the Madison Volunteer Ambulance Corp. parking lot on Prospect Street and it will continue to Main Street where it will conclude at James Park where there will be a ceremony at the conclusion of the parade; and

**WHEREAS**, Police Chief Chirico recommends approval of this request.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Madison Veterans Committee to hold Memorial Day Parade and Ceremony on Monday, May 28, 2006, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department and Madison Fire Department.

**R 76 – 2007**

**RESOLUTION OF THE BOROUGH OF MADISON RENEWING BOWLING ALLEY LICENSE FOR PLAZA LANES FOR 2007**

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Bowling Alley License renewal be approved for the year 2007:

**Company Name: PLAZA LANES INC.**

**Name of Bowling Alley: PLAZA LANES**

**Location of Bowling Alley: 53 Madison Plaza**

**Madison, New Jersey**

**R 77 – 2007**

**RESOLUTION OF THE BOROUGH OF MADISON RENEWING THEATER  
LICENSE FOR MADISON CINEMA 4 FOR 2007**

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Theater License renewal be approved for the year 2007:

**Company Name: CLEARVIEW CINEMAS**

**Name of Theater: MADISON CINEMA 4**

**Location of Theater: 14 LINCOLN PLACE**

**MADISON, NEW JERSEY**

**R 78-2007**

**RESOLUTION OF THE BOROUGH OF MADISON GRANTING PERMISSION  
FOR SEVENTH ANNUAL FIREHOUSE PIZZA RUN FOR CHESHIRE HOME  
ON SATURDAY, MAY 19, 2007 AT 9:00 A.M.**

**WHEREAS**, Cheshire Home, Inc., has requested permission to hold the Seventh Annual Firehouse Pizza Run for Cheshire Home in Madison on Saturday, May 19, 2007; and

**WHEREAS**, the run will begin at 9:00 a.m., at the Madison High School and end at Cheshire Home on a route approved by the Madison Borough Police Department; and

**WHEREAS**, Police Chief Chirico recommends approval of this request.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris, and State of New Jersey, that the request of Cheshire Home, Inc., to hold the Seventh Annual Firehouse Pizza Run for Cheshire Home in Madison on Saturday, May 19, 2007, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department and the Madison Fire Department.

***Unfinished Business*** - None

***APPROVAL OF VOUCHERS***

On motion by Mrs. Vitale, seconded by Mrs. Holden 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 \$9,509.29

Health & Public Assistance 4,518.13

Public Works & Engineering 92,734.86

Community Affairs 1,739.57

Finance & Borough Clerk 384,979.36

Utilities 53,792.80

Total \$547,274.01

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

Yeas: Mrs. Holden, Ms. Baillie, Mr. Bowen, Mrs. Vitale, Mr. Conley

Nays: None

Absent: Mr. Elias

***New Business***

Before adjournment, Mrs. Vitale was recognized by the Chair and asked that something be done about the non-working microphones in the Council Chamber.

***Adjournment***

There being no further business to come before the Council, the meeting was adjourned at 10:10 p.m. by unanimous voice vote of members present.

Respectfully submitted,

Marilyn Schaefer

Borough Clerk

Approved April 9, 2007 (MS)