

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

March 23, 2009 - 7 p.m.

Call to Order

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 23rd day of March 2009. Mayor Holden called the meeting to order at 7 p.m. in Room #210 of Bayley-Ellard High School, 205 Madison Avenue, 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 Bayley-Ellard High School, and filing a copy in the office of the Clerk, all on January 6, 2009. 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 Mary-Anna Holden

Council Members:

Astri J. Baillie

John M. Elias

Robert H. Conley

Jeannie Tsukamoto

Vincent A. Esposito

Dan S. Dunham

Also Present:

Raymond M. Codey, Borough Administrator

Marilyn Schaefer, Borough Clerk

Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

Two Litigation Matters and one Contract Matter were added to the 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 March 9, 2009

CONTRACT MATTERS (5)

LIBERTY MUTUAL

Madison community pool lease

Draft Regional Traffic Study

BAYLEY-ELLARD

REJECT BIDS FOR 2009 POLICE DEPARTMENT JANITORIAL SERVICES,
AUTHORIZE REBID

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

PERSONNEL MATTERS (3)

LEAVE OF ABSENCE

Appoint Administrative Officer in the Land Use Services Division

APPOINT MECHANIC 2 IN PUBLIC WORKS DEPARTMENT

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

Seconded: Ms. Baillie

Vote: Approved by voice vote

Reconvene in Council Chamber

Mayor Holden reconvened the Regular Meeting at 8 p.m. in the 3rd Floor Meeting Room of Bayley-Ellard with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the ***Executive Minutes of March 9, 2009***. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

Ms. Baillie moved approval of the ***Regular Meeting Minutes of March 9, 2009, 2009***. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

GREETINGS TO PUBLIC

Mayor Holden made the following comments:

The following Proclamation was read and presented to Lenore Ford and Sarah O'Donnell proclaiming April as Donate Life Month:

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

Donate Life Month

April 2009

WHEREAS, Overlook Hospital's Auxiliary established an Organ and Tissue Donor Awareness Committee in May 1995 whose goal is to make the public aware of organ and tissue donor needs and programs; and

WHEREAS, in the United States there are almost 100,000 people waiting for organs (liver, heart, kidney, lungs, pancreas) almost 4,200 of whom are from New Jersey; and

WHEREAS, approximately 18 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, Mary-Anna Holden, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby proclaim the month of April 2009 as *DONATE LIFE MONTH* and encourage the citizens of Madison to become donors through their driver's license or living will. Citizens are asked to share this decision with their families because it becomes a legal document.

Mary-Anna Holden, Mayor

March 23, 2009

Mayor Holden presented the following May Day "Leading the Way" Awards:

Suzanne Whitehorn

Peter Daniele

American Red Cross, Colonial Crossroads Chapter

Friends of Madison Shade Trees

Post Office Hours

Beginning on April 18, 2009, the Madison Post Office's retail service hours will be 9 a.m. to 6 p.m. Monday through Friday and 9 a.m. to 4 p.m. on Saturday.

REPORTS OF COMMITTEES

Public Safety

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

The Borough just heard from the State Green Acres Program—Madison has been awarded a \$500,000.00 Planning Incentive Grant for 2009, which may be used on any of Madison's open space acquisitions.

Utilities

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

Public Works and Engineering

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

Public Works Department personnel are getting Madison's playing fields ready for Little League and other sports. Mr. Conley was surprised when the flag at Green Avenue disappeared—he asked for it back, no questions asked.

Finance and Borough Clerk

Mrs. Tsukamoto, Chair of the Committee, made the following comments:

Budget discussions are continuing this evening.

Community Affairs

Dr. Esposito, Chair of the Committee, made the following comments:

Over 600 people participated in the Taste of Madison on March 11, 2009, at the Fairleigh Dickinson University Recreation Center sponsored by the Rotary, Chamber of Commerce and the Downtown Development Commission; the fundraiser was a huge success; Dr. Esposito thanked all the residents, businesses, sponsors and volunteers for their hard work in organizing the event.

Health & Public Assistance

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

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communication:

From Jonelle Marchese, Drew Place, delivered a petition signed by 29 residents of Drew Place, Douglas Avenue, Rachael Avenue, Strickland Place, James Place and Orchard Street stating in part: On behalf of my neighbors...I am writing you about our concern with the road improvement in the Orchard section. We are petitioning to have removed the section of Douglas further south, adjacent to the park. This is a safety concern for my two young children and the other children in

the neighborhood. The parcel of road which we are requesting be removed has no driveways, sidewalks and is not a main access to the neighborhood. In fact, that section of road is not a necessity at all. The parcel can be removed and added to the park, which should be in the master plan.....

This communication will be handled by Mr. Conley.

INVITATION FOR DISCUSSION (1 of 2)

Mayor Holden opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. The 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

03/23/2009-1 DDC ORDINANCE

03/09/2009-4

The ordinance will be brought back at a future meeting and was not discussed.

03/23/2009-2 ADOPT A FEE SCHEDULE FOR INSPECTION OF HOTELS AND

03/09/2009-15 MULTIPLE DWELLINGS

This ordinance will be brought back after further review.

03/23/2009-3 DISPATCHER AND SENIOR DISPATCHER POSITION SALARY RANGES AND JOB DESCRIPTIONS

03/09/2009-16

There was consensus to approve Mr. Codey's recommendation to list for introduction an ordinance setting salary ranges for the above positions.

Ordinance 17-2009 is listed for introduction later in the meeting.

03/23/2009-4 FROM 3/19/2009 BUDGET MEETING, authorize CFO to submit an addendum for a New Jersey Environmental Infrastructure Trust Loan and a New

Jersey Environmental Infrastructure Fund Loan – Madison-Chatham Joint Meeting is considering capital improvements which would require bonding. The EIFP would be the funding source. Total estimated project cost is \$3.3 million; Madison's share would be approximately \$2.162 million.

Mr. Codey explained that Madison operates a joint sewer system with Chatham; there are approximately \$3 million of capital repairs required, and the loan program being considered is at 2% interest; in lieu of a loan, there is a hope that the loan portion will be converted to a complete grant; this resolution puts the Borough in a position to apply for the grant and does not authorize the project itself. Per the Budget Meeting of March 19, 2009, there was consensus to list Resolution R 100-2009 on the Consent Agenda.

03/23/2009-5 FROM 3/19/2009 BUDGET MEETING, increase tax-exempt sewer charge by 9% effective May 1, 2009 (Note – Amend Section 155-18 B. Sewer Use Charge)

Mr. Codey explained that Madison bills sewer charges as part of the tax bill; the Borough is moving toward having tax-exempt entities included more fully in the obligation. Carried from the Budget Meeting of March 19, 2009, after discussion, there was consensus to list for introduction later in the meeting Ordinance 16-2009 increasing the tax-exempt sewer charge by 9% effective April 1, 2009.

03/23/2009-6 FROM 3/19/2009 BUDGET MEETING, authorize emergency temporary appropriations

Mr. Codey explained that this is in compliance with state law and authorizes approximately 50% of what was allocated to each line item in last year's budget. Per the Budget Meeting of March 19, 2009, there was consensus to list on the Consent Agenda Resolution R 105-2009 authorizing emergency temporary appropriations to fund expenditures until a 2009 budget is adopted.

Chief Financial Officer Robert Kalafut was recognized by the Chair and commented that the Borough will make its pension payment to the State—the due date is April 1 with a 30-day grace period; Mr. Kalafut expects the payment to be approximately \$1.4 million. Mr. Codey commented for the record that the Borough is going to fund its pension obligation in 2009, unlike approximately 200 other towns which have applied for a waiver to put off the payment until some future date at 8-¼% interest.

03/23/2009-7 PARTIAL REFUND OF COAH FEE FOR 8 ELMER STREET

There was agreement to list on the Consent Agenda Resolution R 101-2009 authorizing a partial refund of the COAH fee for 8 Elmer Street, as recommended

by Construction Code Official Russell Brown, as the fee was appealed by the contractor/owner and it was determined by the New Jersey Division of Taxation, after a review of the facts, that an overpayment of \$7,337.49 had been made.

03/23/2009-8 AUTHORIZE SIGNATURE ON DECLARATION OF INTENT TO APPLY FOR 2009 NEW JERSEY HISTORIC TRUST GRANT

After a review of the 2009 NJ Historic Trust Grant Guidelines, there was consensus to remove Resolution R 107-2009 from the Consent Agenda.

Added to Agenda CAPITAL BUDGET DISCUSSIONS CONTINUED:

03/23/2009-9 (1) CIVIC CENTER ELEVATOR; LINCOLN PLACE

03/19/2009-5 Budget Mtg REVITALIZATION PLAN; RECREATIONAL IMPROVEMENTS – ROSEDALE, DODGE AND TURF FIELDS

After discussion, Mrs. Tsukamoto moved inclusion of the Civic Center Elevator funding of \$200,000 in the 2009 Capital Budget; Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

After consideration, Mr. Conley moved funding of Dodge Field recreational improvements in the amount of \$68,000 to be included in the 2009 Capital Budget; Mr. Elias seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

There was consensus that Rosedale Field recreational improvements and turf fields are fall discussion items. The Lincoln Place Revitalization Plan will be considered next year.

03/23/2009-9 (2) Eliminate the water and electric appropriations from all the 2009 department municipal budgets that currently are part of the municipal tax levy

There was a long and detailed discussion with Mr. Codey giving a summary of how electricity usage charges are allocated among Borough entities; the Library is charged for electricity usage; the Museum of Early Trades & Crafts is also charged for electricity usage; the Community House is not; the present allocation methods do not change the end result—electricity usage by Borough entities is ultimately paid for by taxpayers, not tax-exempt entities, because the charges become part of the municipal tax levy. There was discussion of raising tax-exempt electricity usage charges as necessary if the Borough eliminates the water and electric appropriations from all the 2009 department municipal budgets that currently are part of the municipal tax levy. A motion was made and seconded and later withdrawn as to the recommendation.

This discussion will be taken up again at the next meeting, and the Chief Financial Officer will be asked to attend.

Added to Agenda

03/23/2009-10 AUTHORIZE MAYOR TO SIGN A LETTER TO INTERNAL REVENUE SERVICE AND NEW JERSEY DIVISION OF TAXATION ACKNOWLEDGING DONATIONS TO THE BOROUGH MADE BY DAVID QUIRK TO THE PROPERTY ADJACENT TO THE LUKE MILLER HOUSE

Mr. Dunham moved approval of Mr. Mezzacca's recommendation that the Mayor be authorized to execute a letter to the Internal Revenue Service and New Jersey Division of Taxation acknowledging donations made by David Quirk to the Borough through improvements to the property adjacent to the Luke Miller House at 105 Ridgedale Avenue.

Resolution R 108-2008 so approving will be added to the Agenda.

Advertised Hearings

The Clerk made the following statement:

Ordinances scheduled for hearing were introduced by title and passed on first reading at a Regular Meeting of the Council held on March 9, 2009, were published in the Madison Eagle on March 12, 2009, were posted and filed according to law, and copies were made available to the general public requesting same.

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

ORDINANCE 10-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 190 OF THE MADISON BOROUGH CODE ENTITLED "WATER" TO AUTHORIZE THE REVISION OF THE BOROUGH OF MADISON'S WATER RATES AND SERVICE FEES

WHEREAS, the Chief Financial Officer of the Borough of Madison has recommended that the water utility rates be increased due to increased costs primarily for significant water main replacements and also to be more comparable with other water utility companies; and

WHEREAS, the Chief Financial Officer has recommended that Section 190-32 A of the Borough Code regarding Water Rates for Metered Service be amended to read as follows:

190-32 A. (1) All water furnished in any quarter annual period shall be priced at the following rates:

Rates per 100 Cubic Feet

0 to 1,000 \$2.19

1,001 to 3,000 \$2.31

3,001 and higher \$2.53

subject to the minimum quarterly charge required in Subsection B below.

(2) The water rates for metered services shall increase each year, effective January 1, 2010 and each January 1 thereafter by the Cost of Living Adjustment (COLA, formerly called the Index Rate) which is applicable to municipal and county budge caps. The COLA is based on the Implicit Price Deflator for State and Local Governments, calculated by the U.S. Department of Commerce, Bureau of Economic Analysis. Said increased rates shall be reflected in a resolution to be adopted by the Borough Council each year.

WHEREAS, Borough Chief Financial Officer has further recommended that Section 190-32 B of the Borough Code be amended to further reflect the following new rates:

Meter Size (inches)	For Any Amount of Water Furnished Not in Excess of (Cubic Feet)	Minimum Charge (per quarter)
5/8	805	\$17.63
3/4	805	\$17.63
1	2,010	\$45.23
1½	4,021	\$93.93
2	6,433	\$154.95
3	7,343	\$177.98
4	11,801	\$290.77
6 and greater	22,286	\$556.04

WHEREAS, the Borough Council, after due consideration has determined to proceed with said recommendation.

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: Section 190-32 of the Borough Code entitled "Water Rates for Metered Service" is hereby amended to revise the water utility rates as set forth herein.

SECTION 2: All other rates and terms remain the same, except those changed herein.

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

Mayor Holden opened up the public hearing on Ordinance 10-2009. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Elias moved that Ordinance 10-2009, which the Borough Clerk read by title, be finally adopted. Mr. Conley seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

Note: Ordinance 11-2009 will have a hearing on April 13, 2009.

The Borough Clerk commented that an amendment to Ordinance 12-2009 should be considered for adoption as follows:

Section 82-5 Complaints, Paragraph 2:

.....sale of donations should be paid to the ~~chief financial officer of~~
the Borough of Madison.....

Mrs. Tsukamoto moved approval of the above amendment. Ms. Baillie seconded the motion. Mr. Mezzacca commented that the amendment is not significant and the Council may move forward with consideration for final adoption. There was

no further discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

ORDINANCE 12-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING THE BOROUGH CODE TO INCLUDE A NEW CHAPTER 82 ENTITLED "CLOTHING BINS"

WHEREAS, the Borough Administrator has recommended the adoption of an Ordinance to regulate Clothing Bins in conformity with N.J.S.A. 40:48-2.60 et. seq.; and

WHEREAS, the Council desires to enact such Ordinance.

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 Madison Borough Code is hereby amended to include a new Chapter 82 entitled "Clothing Bins" which shall provide as follows:

Chapter 82 Clothing Bins

82-1 Permit Required

In accordance with N.J.S.A. 40:48-2.61, notwithstanding any other provision of law to the contrary, no person or entity shall place, use, or employ a donation clothing bin, for solicitation purposes, within the Borough of Madison unless the person or entity shall obtain a permit, valid for a period of one year, issued by the Borough Clerk, upon approval of the Borough Council, in accordance with this Chapter 82.

82-2 Issuance of Permit

1. An application shall be filed with the Borough Clerk on forms designated by the Borough Clerk which shall include the following:

- (a) the location where the bin would be situated, as precisely as possible;
- (b) the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
- (c) the name, and telephone number of the bona fide office required pursuant to subsection b. of this section, of any entity which may share or profit from any clothing or other donations collected via the bin;
- (d) written consent from the property owner to place the bin on his property; and
- (e) a zoning permit issued by the Madison Zoning Officer pursuant to section 195-30.5 of the Madison Land Development Ordinance.

2. The Borough Council shall not grant an application for a permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but not be limited to, the placement of a donation clothing bin within 100 yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases;

3. The applicant shall pay to the Borough of Madison a permit fee of \$25, to offset the costs involved in enforcing this Chapter and N.J.S.A 40:48-2.60 et seq.

82-3 Renewal of Permit

1. An expiring permit for a donation clothing bin may be renewed upon application for renewal and payment of a \$25.00 fee for such renewal, to offset the costs involved in enforcing Chapter and N.J.S.A 40:48-2.60 et seq. Such application shall include:

(a) the location where the bin is situated, as precisely as possible, and, if the person intends to move it, the new location where the bin would be situated after the renewal is granted and written consent from the property owner to place the bin on his property;

(b) the manner in which the person has used, sold, or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal; and

(c) The name, and telephone number of the bona fide office required pursuant to subsection b. of this section, of any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal; and

82-4 Display of Information on Bin

1. All bins shall comply with the following display requirements:

(a) The permit number and its date of expiration shall be clearly and conspicuously displayed on the exterior of the donation clothing bin, in addition to the information required pursuant to subsection c. of this section;

(b) The person, and any other entity which may share or profit from any clothing or other donations collected via the bin, maintains a bona fide office where a representative of the person or other entity, respectively, can be reached at a telephone information line during normal business hours for the purpose of offering information concerning the person or other entity. For the purposes of this subsection, an answering machine or service unrelated to the person does not constitute a bona fide office; and

(c) The following information is clearly and conspicuously displayed on the exterior of the donation clothing bin:

(1) The name and address of the registered person that owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;

(2) The telephone number of the person's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin;

(3) In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and

(4) A statement, consistent with the information provided to the Borough of Madison in the most recent permit or renewal application pursuant to subparagraph (b) of paragraph (1) of subsection a. of this section and subparagraph (b) of paragraph (4) of subsection a. of this section, indicating the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

82-5 Complaints

1. The Borough of Madison shall receive and investigate, within 30 days, any complaints from the public about the bin. Whenever it appears to the Borough of

Madison that a person has engaged in, or is engaging in any act or practice in violation of section 2 of N.J.S.A. 40:48-2.61 or any provisions of this Chapter, the person who placed the bin shall be issued a warning, stating that if the violation is not rectified or a hearing with the Borough Council is not requested within 45 days, the bin will be seized or removed at the expense of the person who placed the bin, and any clothing or other donations collected via the bin will be sold at public auction or otherwise disposed of. In addition to any other means used to notify the person who placed the bin, such warning shall be affixed to the exterior of the bin itself.

2. In the event that the person who placed the bin does not rectify the violation or request a hearing within 45 days of the posting of the warning, the Borough of Madison may seize the bin, remove it, or have it removed, at the expense of the person who placed the bin, and sell at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Borough of Madison.

82-6 Penalties

1. In addition to any other penalties or remedies authorized by the laws of this State, any person who violates any provision of N.J.S.A. 40:48-2.60 et seq. which results in seizure of the donation clothing bin shall be:

(a) Subject to a penalty of up to \$20,000 for each violation. The Borough of Madison may bring this action in the municipal court or Superior Court as a summary proceeding under the Penalty Enforcement Law of 1999, N.J.S.A..2A:58-10 et seq, and any penalty monies collected shall be paid to the Borough of Madison; and

(b) Deemed ineligible to place, use, or employ a donation clothing bin for solicitation purposes pursuant to section 2 of N.J.S.A .40:48-2.61. A person disqualified from placing, using, or employing a donation clothing bin by violating the provisions of N.J.S.A .40:48-2.60 et seq. may apply to the Borough Council to have that person's eligibility restored. The Borough Council may restore the eligibility of a person who:

(1) Acts within the public interest; and

(2) Demonstrates that he made a good faith effort to comply with the provisions of N.J.S.A..40:48-2.60 et seq. and this Chapter and all other applicable laws and regulations, or had no fraudulent intentions.

SECTION 2: If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 3: All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4: The Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Mayor Holden opened up the public hearing on Ordinance 12-2009 as amended. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 12-2009, which the Borough Clerk read by title, be finally adopted as amended. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

Mayor Holden declared the aforementioned ordinance 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 13-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 147 ENTITLED "FEES FOR PUBLIC RECORDS AND DOCUMENTS" ESTABLISHING/ INCREASING FEES FOR POLICE RECORDS

WHEREAS, the Acting Police Chief has recommended that Chapter 147-1C entitled "Police records" of Chapter 147 of the Borough Code entitled "Fees For Public Documents and Records" be amended to increase certain fees and establish a fee for fingerprinting; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 147 of the Borough Code entitled "Fees for Public Documents and Records" shall be amended as follows:

SECTION 1: Section 147-1C entitled "Police records" is hereby amended to read as follows:

§ 147-3C Police records.

. . . .

(4) Incident verification letter and Letters of Good Conduct: \$10.00.

(5)

(7) Fingerprinting for firearms, real estate, etc.: \$15.00 per card.

SECTION 2: This Ordinance shall take effect as provided by law.

Mayor Holden opened up the public hearing on Ordinance 13-2009. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 13-2009, which the Borough Clerk read by title, be finally adopted. Mr. Dunham seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

Mayor Holden declared the aforementioned adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

Note: Ordinance 14-2009 was removed from the Agenda at the last meeting, and the # retired.

ORDINANCE 15-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING ORDINANCE 40-2008 INCREASING APPROPRIATION BY \$65,000.00 FROM \$637,000.00 TO \$702,000.00 FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND FOR COMPLETION OF 2007 WATER MAIN REPLACEMENT PROJECT

WHEREAS, Ordinance 47-2007 of the Borough of Madison appropriated \$590,000.00 from the Reserve for Filtration System in the Water Utility Capital Fund for water main replacement of municipal roads including Myrtle Avenue, South Street, Dellwood Parkway South, Woodcliff Drive and Dean Street; and

WHEREAS, Ordinance 40-2008 of the Borough of Madison amended Ordinance 47-2007 to appropriate an additional \$47,000.00 from the Reserve for Filtration System in the Water Utility Capital Fund thereby increasing Ordinance 47-2007 to \$637,000.00; and

WHEREAS, the Borough Engineer has recommended that the Borough amend Ordinance 47-2007 and Ordinance 40-2008 to appropriate an additional \$65,000.00 from the Water Utility Capital Improvement Fund thereby increasing Ordinance 47-2007 to \$702,000.00 for completion of the 2007 Water Main Replacement Project; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Water Utility Capital Improvement Fund in an amount not to exceed \$65,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should amend Ordinance 47-2007 and Ordinance 40-2008 to appropriate an additional \$65,000.00 from the Water Utility Capital Improvement Fund thereby increasing Ordinance 47-2007 to \$702,000.00 for completion of the 2007 Water Main Replacement Project.

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 47-2007 and Ordinance 40-2008 are amended to appropriate an additional \$65,000.00 from the Water Utility Capital Improvement Fund thereby increasing Ordinance 47-2007 to \$702,000.00 for completion of the 2007 Water Main Replacement Project.

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 Holden opened up the public hearing on Ordinance 15-2009. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Conley moved that Ordinance 15-2009, which the Borough Clerk read by title, be finally adopted. Mr. Dunham seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

Mayor Holden declared the aforementioned ordinance 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:

Ordinances scheduled for first reading have a hearing date set for April 13, 2009; all will be published in the Madison Eagle, posted on the Bulletin Board and made available to members of the public requesting copies.

Mayor Holden called up Ordinances for first reading and asked the Borough Clerk to read said ordinances by title:

ORDINANCE 16-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING SECTION 155-18B OF THE BOROUGH CODE ENTITLED "SEWER USE CHARGE" TO INCREASE SEWER USE CHARGE FOR TAX-EXEMPT PROPERTIES

WHEREAS, the Borough Administrator has recommended that the sewer use charge for tax-exempt properties be increased by nine (9%) percent to reflect the increased costs associated with such charges; and

WHEREAS, the Borough Council has determined that there is a need to approve such increase.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Chapter 155 of the Borough Code entitled "Sewers" shall be amended as follows:

SECTION 1:

§155-18 Sewer use charge established; rate; exception.

A.

B. The sewer use charge shall be billed at a rate of \$0.04774 per cubic foot of water consumed...

SECTION 2: All other provisions of the Ordinance not inconsistent herewith shall remain the same.

SECTION 3: The increase shall be effective for all meter reads as of May 1, 2009.

Mr. Elias moved that Ordinance 16-2009, which the Borough Clerk read by title, be adopted. Mrs. Tsukamoto seconded the motion. Mr. Conley abstained from the vote as he is the Director of the YMCA, a tax-exempt property. There was no further Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

Abstain: Mr. Conley

ORDINANCE 17 - 2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING ORDINANCE 5-2008 SETTING SALARY RANGES FOR NON-UNION FULL-TIME EMPLOYEES TO INCLUDE SALARY RANGE FOR DISPATCHER AND SENIOR DISPATCHER

WHEREAS, the Borough Council has determined to amend Ordinance 5-2008 setting salary ranges for non-union full-time employees to include salary range for "Dispatcher" and to include salary range for "Senior Dispatcher".

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

Section 1. Ordinance 5-2008 setting the salary ranges for non-union full-time employees is hereby amended to include the following salary range:

TITLE	MINIMUM	MARKET VALUE	MAXIMUM
Dispatcher	\$34,614	\$40,273	\$45,933
Senior Dispatcher	\$45,933	\$51,592	\$57,252

-

Section 2. This ordinance shall take effect as provided by law.

Mr. Conley moved that Ordinance 17-2009, which the Borough Clerk read by title, be adopted. Mr. Dunham seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

Consent Agenda Resolutions

The Clerk made the following statement:

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

Mrs. Tsukamoto moved adoption of the Resolutions listed on the Consent Agenda. Ms. Baillie seconded the motion. The Borough Clerk commented that R 107-2009 was removed from the Consent Agenda. There was no further discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

R 95 – 2009

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. 1102 – On Premise

May 16, 2009

BE IT FURTHER RESOLVED that a certified copy of this

Resolution be forwarded to the Legalized Games of Chance Control Commission.

R 96 – 2009

RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON HIGH SCHOOL EDUCATIONAL FOUNDATION TO CONDUCT AN ON-PREMISE MERCHANDISE RAFFLES GAME ON SUNDAY, MAY 3, 2009

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-Premise Merchandise Raffles Game on Sunday, May 3, 2009, at 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 afore-mentioned Application for Raffles License, R.A. No. 1104, 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 97 - 2009

RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY BULLPEN CLUB INC. TO CONDUCT AN OFF-PREMISE 50/50 RAFFLES GAME ON SUNDAY, MAY 31, 2009

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. 274-5-35149 to the Bullpen Club Inc.; 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 Bullpen Club Inc. to conduct an Off-Premise 50/50 Raffles Game on Sunday, May 31, 2009, at the Sonny Vitale Memorial Field, Rosedale Avenue, Madison, New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the afore-mentioned Application for Raffles License, R.A. No. 1103, 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 98-2009

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MADISON
AUTHORIZING A MILITARY LEAVE OF ABSENCE OF PROBATIONARY
POLICE OFFICER ALAN IMPERIALE FOR THE PERIOD MAY 18, 2009
THROUGH JUNE 4, 2010**

WHEREAS, N.J.S.A. 38-23-1, as amended, provides that any Borough employee who is a member of the organized reserves of any branch of the United States Armed Forces and who has been called to active duty is entitled to a fully paid leave of absence from his or her duties for a period of thirty (30) working days in each calendar year; and

WHEREAS, N.J.S.A. 38:23-3 provides that a municipality may, in its discretion, pay the whole or part of the salaries of its employees during the time that they are engaged in a branch of the military service of the national government: and

WHEREAS, Borough employee, Probationary Police Officer Alan Imperiale has been called to active duty with the U. S. Marine Reserve in Iraq for his third tour of duty; and

WHEREAS, the Borough wishes to show its support for the service provided by Officer Imperiale to the United States of America; and

WHEREAS, the Borough Administrator has recommended that Alan Imperiale be granted a Military Leave of Absence from May 18, 2009 through June 4, 2010;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison that it hereby authorizes payment of full salary to Officer Imperiale who has been called to active duty with the United States Armed Forces for the applicable 30 working day period per calendar year as required by law. And that following the exhaustion of the statutory entitlements of N.J.S.A. 38:23-1, the Council of the Borough of Madison further authorizes payment of a salary differential, i.e., an amount equal to the difference between the employee's Borough salary and the employee's military salary, pursuant to N.J.S.A. 38:23-3, for the remainder of the calendar year during which Officer Imperiale is engaged in active duty. If Officer Imperiale continues to be engaged in active duty at the beginning of the following calendar year, the Council will determine at that time whether or not to continue the discretionary differential payments following exhaustion of the statutory entitlements in the second year.

The Military Leave period shall not be counted against Officer Imperiale's available vacation time and all benefits of employment with the Borough of Madison including but not limited to medical coverage, seniority and the employer's pension contribution shall continue in full force and effect. Officer

Imperiale shall be reinstated upon his release from active duty under an honorable discharge; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Police Officer Alan Imperiale is granted a Military Leave of Absence from May 18, 2009 through June 4, 2010, in accordance with the terms of this Resolution.

R 99-2009

RESOLUTION OF THE BOROUGH OF MADISON APPOINTING FRANCES BOARDMAN TO THE POSITION OF ADMINISTRATIVE OFFICER IN THE LAND USE SERVICES DIVISION EFFECTIVE APRIL 1, 2009

WHEREAS, the Purchasing/Personnel Officer recommends the appointment of Frances Boardman to the position of Administrative Officer in the Land Use Services Division effective April 1, 2009; and

WHEREAS, the 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 Frances Boardman is hereby appointed to the position of Administrative Officer in the Land Use Services Division effective April 1, 2009; and

BE IT FURTHER RESOLVED, that Frances Boardman be compensated at the annual salary of \$47,139.00.

R 100-2009

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE CHIEF FINANCIAL OFFICER TO SUBMIT AN ADDENDUM FOR A NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST LOAN AND A NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FUND LOAN

WHEREAS, the Madison-Chatham Joint Meeting is considering capital improvements that would require bonding; and

WHEREAS, Madison's share of the project would be approximately \$2,162,000; and

WHEREAS, the Chief Financial Officer has recommended that the Borough authorize the Chief Financial Officer to submit an Addendum to the New Jersey Environmental Infrastructure Trust Financing Program for a New Jersey Environmental Infrastructure Trust Loan and a New Jersey Environmental Infrastructure Fund Loan; and

WHEREAS, the Borough Council has determined it is appropriate to authorize the Chief Financial Officer to submit an Addendum to the New Jersey Environmental Infrastructure Trust Financing Program for a New Jersey Environmental Infrastructure Trust Loan and a New Jersey Environmental Infrastructure Fund Loan.

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 the Chief Financial Officer is hereby authorized and directed on behalf of the Borough to submit an Addendum to the New Jersey Environmental Infrastructure Trust Financing Program for a New Jersey Environmental Infrastructure Trust Loan and a New Jersey Environmental Infrastructure Fund Loan.

R 101-2009

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTIAL REFUND OF COAH PAYMENT FOR 8 ELMER STREET PROJECT IN THE AMOUNT OF \$7,337.49

WHEREAS, 8 Elmer, LLC was assessed a development fee by the Borough in the amount of \$9,468.00; and

WHEREAS, 8 Elmer, LLC paid the assessed fee and thereafter filed a protest with the New Jersey Division of Taxation; and

WHEREAS, the New Jersey Division of Taxation determined by letter dated February 25, 2009, that 8 Elmer, LLC should have been assessed a development fee of \$2,130.51 and is entitled to a refund of \$7,337.49; and

WHEREAS, the Construction Code Official has recommended that the Borough issue a refund to 8 Elmer, LLC in the amount of \$7,337.49 for overpayment of the development fee; and

WHEREAS, the Borough Council has determined it is appropriate to authorize a refund to 8 Elmer, LLC in the amount of \$7,337.49 for overpayment of the development fee.

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 a refund to 8 Elmer, LLC in the amount of \$7,337.49 for overpayment of the development fee is authorized, in accordance with the New Jersey Division of Taxation letter dated February 25, 2009.

R 102-2009

RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE 2009 JANITORIAL SERVICES – POLICE DEPARTMENT BID AND AUTHORIZATION FOR REBID

WHEREAS, the Borough of Madison publicly advertised for bids for janitorial services for the Police Department in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, five bids were received; and

WHEREAS, all five bids did not meet the requirements in the bid specifications and are non-responsive, and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that all bids for janitorial services for the Police Department are hereby rejected for the reasons set forth herein and the Borough Administrator is authorized to solicit new bids.

R 103 - 2009

RESOLUTION OF THE BOROUGH OF MADISON

APPROVING RENEWAL OF LIVERY OWNERS' LICENSES

FOR MADISON LIMOUSINE, PRECISE LIMOUSINE TRANSPORT

**SERVICE LLC, MADISON LIVERY AND MADISON TRANSPORTATION INC.
FOR 2009**

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owners' License renewals be approved for the year 2009:

-

LICENSE NO. NAME Vehicle

-

2, 3, 4, 5, Michael Lekas, t/a 8 Liveries

6, 7, 8, 9, Madison Limousine

25 Madison Plaza, Madison

10, 11, 12, Carmine C. Fornaro, t/a 6 Liveries

13, 14, 15, Precise Limousine Transport

Service, LLC

14 Kings Road, Madison

16 John J. Mastrobuono, t/a 1 Livery

Madison Livery

152 Park Avenue, Madison

17 Robert Kubach, t/a 1 Livery

Madison Transportation Inc.

RR Station, Kings Road, Madison

R 104 - 2009

RESOLUTION OF THE BOROUGH OF MADISON

APPROVING RENEWAL OF LIVERY DRIVER'S

PERMITS FOR 2009

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Driver's Permit renewals be approved for the year 2009:

LICENSE NO. NAME

2 Michael Lekas

3 Carmine C. Fornaro

4 John J. Mastrobuono

5 Robert Kubach

R 105-2009

RESOLUTION OF THE BOROUGH OF MADISON ADOPTING 2009 EMERGENCY TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES PURSUANT TO N.J.S.A. 40:4-19

WHEREAS, 40A:4-20 Local Budget Act, provides that temporary emergency appropriations be made in the amounts required where contracts, commitments or payments must be made prior to the final adoption of the 2009 budget; and

WHEREAS, additional emergency temporary appropriations are necessary to fund Borough Operations until the final adoption of the 2009 budget by the Governing Body, the said 2009 Emergency Temporary Appropriations is as follows:

MUNICIPAL	\$ 11,377,000.00
WATER UTILITY	\$ 1,105,000.00
ELECTRIC UTILITY	\$ 9,960,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

GENERAL ADMINISTRATION & HUMAN RESOURCES		
Salary & Wages	\$	75,000.00
Other Expenses	\$	10,000.00
MUNICIPAL SUPPORT		
Other Expenses	\$	40,000.00
BOROUGH CLERK		
Salary & Wages	\$	50,000.00
Other Expenses	\$	18,000.00
FINANCIAL ADMINISTRATION		
Salary & Wages	\$	80,000.00
Other Expenses	\$	10,000.00
MAYOR AND BOROUGH COUNCIL		
Salary & Wages	\$	50,000.00
Other Expenses	\$	10,000.00
MAIN STREET EXECUTIVE DIRECTOR		
Salary & Wages	\$	26,000.00
Other Expenses	\$	10,000.00
ASSESSMENT OF TAXES		
Salary & Wages	\$	46,000.00
Other Expenses	\$	15,000.00
REVENUE ADMINISTRATION		
Salary & Wages	\$	80,000.00
Other Expenses	\$	15,000.00
LEGAL SERVICES		
Other Expenses	\$	80,000.00
MUNICIPAL COURT		
Salary & Wages	\$	70,000.00
Other Expenses	\$	15,000.00
PUBLIC BUILDINGS & GROUNDS		
Salary & Wages	\$	70,000.00
Other Expenses	\$	50,000.00
PLANNING BOARD		
Salary & Wages	\$	18,000.00
Other Expenses	\$	40,000.00
ZONING BOARD		
Salary & Wages	\$	15,000.00
Other Expenses	\$	20,000.00

ENGINEERING			
Salary & Wages		\$	80,000.00
Other Expenses		\$	30,000.00
ENVIRONMENTAL COMMISSION			
Other Expenses		\$	1,000.00
INSURANCE			
Group Health Ins.		\$	900,000.00
Liability		\$	200,000.00
Workers Comp.		\$	150,000.00
FIRE DEPARTMENT			
Salary & Wages		\$	750,000.00
Other Expenses		\$	32,000.00
FIRE SAFETY PROGRAM			
Salary & Wages		\$	28,000.00
Other Expenses		\$	1,000.00
POLICE DEPARTMENT			
Salary & Wages		\$	1,900,000.00
Other Expenses		\$	170,000.00
CONSTRUCTION CODE			
Salary & Wages		\$	150,000.00
Other Expenses		\$	16,000.00
EMERGENCY MANAGEMENT SERVICES		\$	2,000.00
COMMUNITY PRIDE			
Salary & Wages		\$	60,000.00
Other Expenses		\$	5,000.00
PUBLIC WORKS			
Salary & Wages		\$	750,000.00
Other Expenses		\$	180,000.00
SEWER LINE MAINTENANCE			
Salary & Wages		\$	170,000.00
Other Expenses		\$	28,000.00
SHADE TREE MANANGEMENT BOARD			
Other Expenses		\$	65,000.00
GARBAGE & TRASH REMOVAL			
Other Expenses		\$	800,000.00
VEHICLE MAINTENANCE			
Salary & Wages		\$	140,000.00
Other Expenses		\$	50,000.00
MADISON-CHATHAM JOINT MEETING			
Other Expenses		\$	650,000.00
HEALTH DEPARTMENT			
Salary & Wages		\$	260,000.00
Other Expenses		\$	70,000.00
DOG REGULATION			
Other Expenses		\$	6,000.00
ADMINISTRATION OF PUBLIC ASSISTANCE			
Salary & Wages		\$	25,000.00
Other Expenses		\$	4,000.00
CIVIC CENTER			
Other Expenses		\$	30,000.00
PARKS & RECREATION			
Other Expenses		\$	10,000.00
TEEN CENTER			
Salary & Wages		\$	20,000.00
Other Expenses		\$	4,000.00
MAINTENANCE OF FREE PUBLIC LIBRARY			
Other Expenses		\$	650,000.00
UTILITY EXPENSES			
Other Expenses	2	\$	200,000.00

SENIOR CITIZENS PROGRAMS		
Salary & Wages	\$	45,000.00
Other Expenses	\$	10,000.00
CONTINGENCY		
Other Expenses	\$	2,000.00
Pension		\$ 1,100,000.00
Social Security		\$ 220,000.00
SUBTOTAL		\$ 10,877,000.00
Capital Improvement		\$ 500,000.00
TOTAL		\$ 11,377,000.00

		WATER UTILITY	
Salary & Wages	\$	320,000.00	
Other Expenses	\$	460,000.00	
Social Security		\$ 25,000.00	
SUBTOTAL		\$ 805,000.00	
Capital Improvement		\$ 300,000.00	
TOTAL		\$ 1,105,000.00	

		ELECTRIC UTILITY	
Salary & Wages	\$	750,000.00	
Other Expenses	\$	9,000,000.00	
Rosenet - Website	\$	150,000.00	
Social Security		\$ 60,000.00	
SUBTOTAL		\$ 9,960,000.00	
Capital Improvement		\$ 0.00	
TOTAL		\$ 9,960,000.00	

ADOPTED AND APPROVED
March 23, 2009

MARY-ANNA HOLDEN, MAYOR

Attest:

MARILYN SCHAEFER, Borough Clerk

R 106-2009

**RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING
APPOINTMENT OF ALFRED GERO TO THE POSITION OF MECHANIC 2 IN
THE PUBLIC WORKS DEPARTMENT**

WHEREAS, the Purchasing/Personnel Officer has recommended that an offer of employment be made to Alfred Gero for the position of Mechanic 2 in the Public Works Department upon satisfactory completion of a pre-employment background check; and

WHEREAS, the Purchasing/Personnel Officer has recommended that upon satisfactory completion of the background check, that the Purchasing/Personnel Officer be authorized to hire Alfred Gero for the position of Mechanic 2 in the Public Works Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, at an annual salary of \$48,084.00.

WHEREAS, the Borough Administrator 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, as follows:

1. The Purchasing/Personnel Officer shall make an offer of employment to Alfred Gero for the position of Mechanic 2 in the Public Works Department upon satisfactory completion of a pre-employment background check.
2. The Purchasing/Personnel Officer is authorized to hire Alfred Gero for the position of Mechanic 2 in the Public Works Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, at an annual salary of \$48,084.00.

R 107-2009 - Removed from Consent Agenda and the # retired.

R 108-2009

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MAYOR TO EXECUTE A LETTER AS REQUESTED BY DAVID QUIRK TO ACKNOWLEDGE DONATIONS BY WAY OF MAINTENANCE AND IMPROVEMENTS TO BOROUGH OWNED PROPERTY ADJACENT TO 105 RIDGEDALE AVENUE BEING A PORTION OF WHAT WAS FORMERLY KNOWN AS THE "LUKE MILLER PROPERTY"

WHEREAS, David Quirk previously purchased the property at 105 Ridgedale Avenue, Madison, New Jersey formerly known as the "Luke Miller House"; and

WHEREAS, Mr. Quirk made various contributions by way of repairs, repainting, renovations to the Borough owned structures, as well as maintenance of the Borough owned portions adjacent to his property, as set forth in the letter attached hereto indicating a value of \$22,131.83; and

WHEREAS, the Borough previously authorized such work and acknowledged Mr. Quirk's generosity; and

WHEREAS, the Borough once again wishes to acknowledge Mr. Quirk's generosity.

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 the Mayor is authorized to sign the letter attached hereto, on behalf of Mr. Quirk to the Internal Revenue Service and New Jersey Division of Taxation acknowledging the donations made by Mr. Quirk, with the proviso that Mr. Quirk is solely responsible for the accuracy of the materials and services listed and their associated cost.

INVITATION FOR DISCUSSION (2 of 2)

Mayor Holden opened the meeting to the public for their opportunity to ask questions and make comments on any subject. The 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.**

Jocelyn Colquhoun, Barnsdale Road, commented that giving a grant to certain users rather than billing for electric usage may make users be accountable as they would have to stay inside the grant amount.

Sam Cerciello, Park Avenue, commented that he has been receiving many emails about a person hired for Public Works; Mr. Cerciello felt a person from Madison should be hired. Mr. Codey commented that there were 70 applications and 30 were interviewed; the best candidate was offered the position.

Unfinished Business - None

APPROVAL OF VOUCHERS

On motion by Mrs. Tsukamoto, seconded by Ms. Baillie 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 \$29,400.52

Health & Public Assistance 3,530.26

Public Works & Engineering 189,626.75

Community Affairs 1,298.17

Finance & Borough Clerk 276,402.18

Utilities 184,908.06

Total \$685,165.94

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

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Mrs. Tsukamoto, Dr. Esposito, Mr. Dunham

Nays: None

New Business - None

Adjourn and reconvene executive session

There being no further business to come before the Council, the meeting was adjourned at 9:15 p.m. and the Executive Session immediately reconvened in Room 320.

RECONVENE AND ADJOURN

The Regular Meeting reconvened at 11 p.m. and immediately adjourned.

Respectfully submitted,

Marilyn Schaefer

Borough Clerk

Approved April 13, 2009 (MS)