

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

January 11, 2010 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 11th day of January 2010. Mayor Holden called the meeting to order at 7 p.m. in the Mayor's Office, 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 7, 2010. 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
Robert H. Conley
Jeannie Tsukamoto
Vincent A. Esposito
Sebastian J. Cerciello
Donald R. Links

Also Present:

Raymond M. Codey, Borough Administrator
Elizabeth Osborne, Borough Clerk
Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

One Litigation Matter was 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 Session Minutes of December 14, 2009

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

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CONTRACT MATTERS (3)

HDM
MEDIA CONSULTANT
ELECTRIC UTILITY

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

PERSONNEL MATTERS (1)

CODE ENFORCEMENT OFFICIAL

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

LITIGATION MATTERS (2)

CHATHAM DAY SCHOOL
GRINNELL RECYCLING INC.

Date of public disclosure 60 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 December 14, 2009**. Mrs. Tsukamoto seconded the motion, which passed by the following roll call vote:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto, Mr. Cerciello
Nays: None
Abstain: Dr. Esposito, Mr. Links

Ms. Baillie moved approval of the **Regular Meeting Minutes of December 14, 2009**, with the following amendment to page 4 of 31, discussion #3:

~~...Mrs. Tsukamoto raised concern that Department administrators be responsible for exceeding their approved budgets. Mrs. Tsukamoto~~
emphasized that Department Heads be responsible for meeting their approved budgets. Resolution R 294-2009 is listed on the Consent Agenda.

Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto, Mr. Cerciello
Nays: None
Abstain: Dr. Esposito, Mr. Links

GREETINGS TO PUBLIC

Mayor Holden made the following comments:

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Employee of the Month for January is Captain Lou DeRosa of the Madison Fire Department for not only correctly identifying the electrical problems experienced in the server room at the Public Safety Complex, but also the after-hours work he performed resulting in a major increase in the reliability of the system and a substantial savings to the Borough.

January Anniversaries:

January 1st – Frank Piccolo of the Finance Department - 30th Anniversary

January 7th – Detective James Haspel of the Madison Police Department - 25th Anniversary

January 29th – Patricia Graham of the Borough Clerk's Office - 20th Anniversary

Mayor Holden reminded residents of four budget meetings scheduled for Thursdays, February 11th and 18th, and Thursdays, March 4th and 18th, noting the importance of attending these budget sessions.

REPORTS OF COMMITTEES

Community Affairs

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

The Planning Board will hold a public hearing on January 26th for the presentation of an updated Open Space and Recreation Plan for Green Acres and to consider adoption of the plan as the Open Space and Recreation Element of the Borough's Master Plan as required under Municipal Land Use Law. All are welcome to attend.

Ms. Baillie announced that the 2009 planning incentive grant request to Green Acres in the amount of \$500,000 has been appropriated by the State of New Jersey. These funds can be used for both acquisition and recreation improvements and could, upon approval of the governing body, be used for turf fields for the Madison Recreation Center. Also the Borough can now receive an additional \$175,000 appropriated by the State. We now have approximately \$1.1 million of Open Space funds that could be used for the Madison Recreation Center. The elevator project at the Madison Health Center is on schedule with a completion date of April 1st. The DDC and the Chamber of Commerce are very pleased with the community's response to the holidays' Shop Madison event. Also, January sales days will take place from January 21st to the 23rd, with stores offering special winter savings. Thursday night shopping is coming back beginning February 11th for Valentine's Day shopping. A small, independent film will be filming in the downtown area this Friday, January 15th.

Finance and Borough Clerk

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

Public Safety

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

Mrs. Tsukamoto thanked the Madison Fire and Police Departments for keeping the community safe this holiday season and noted that the Police Department toy drive collected three containers of new toys for needy children this year.

Utilities

Dr. Esposito, Chair of the Committee, no report.

Public Works and Engineering

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

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Mr. Cerciello commended the Public Works Department for the cleanup of the recent snowstorm and noted that Christmas tree pick-ups will continue for the next two weeks. Residents can place trees at the curb for pick up.

Health & Public Assistance

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

Mr. Links reported that the Madison Health Department has administered approximately 4,700 H1N1 vaccines since September and will continue the H1N1 vaccine program that is now open to the general public. There will be a blood drive held on January 17th at St. Vincent Martyr Church. The record last year was 45 pints donated.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communication:

Received 1/08/2010 from Matthew Land of Elm Street regarding speeding on Elm Street.

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.**

Bob O'Donnell, Brittin Street, raised concern regarding a neighboring residence on Brittin Street being used as a boarding house. He asked about notification of change in use in a residential area and noted that his family is bothered by the residents' intrusions on his property. The Mayor asked Mr. Mezzacca to speak with Zoning Officer Frank Russo regarding the use of the property.

AGENDA DISCUSSIONS

01/11/2010-1 WATER DEPARTMENT SERVICE FEES

There was consensus to amend the ordinance to set Water Department service fees, which have not been adjusted in twenty years. Ordinance 1-2010 is listed for introduction later in the meeting.

01/11/2010-2 GREEN ACRES GRANT AGREEMENT

Mr. Codey explained that the Green Acres grant agreement needs to be amended to accept an increase in funding of \$1,600,000.00. There was consensus to authorize the amendment. Resolution R 35-2010 is listed on the Consent Agenda.

01/11/2010-3 MADISON RECREATION CENTER

Mayor Holden read the following report summarizing the specifics of the Madison Recreation Center:

I have listed on the Work Agenda an update of the 49 acres. Due to the flurry of emails of misinformation swirling about I thought it best offer a chronology and dispel the rumor mill.

Where we have been

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T+M Associates were hired as the design team with the best qualifications, financial wherewithal, demonstrated projects and most important a terrific track record in Community Outreach. They were highly recommended, among several firms, to design and oversee Morris County's newest park, Central Park at Greystone, by example.

The next step in the process would have been to convene a body of stakeholders – sports representatives, Board of Ed members, Cheshire Home residents, teens, parents, seniors, neighbors, gardeners, foresters, dog walkers, etc. People often spoke up at Council meetings and asked to be part of the process, that they had experience they wanted to share. Instead, a small group was created with overlap from the Open Space, Recreation and Historic Preservation Fund, and the Recreation Committee, with recommendations from me largely ignored.

Regardless, the first meeting of the 49-acre committee (and I call it that to differentiate from the MRC, or Madison Republican Committee) was held in May and at that meeting T+M Associates representatives came with a giant map of the site in question, and a few ideas sketched out, along with slides of possibilities. In no way was this to be construed as “the” design. It was meant as a visual dartboard where ideas could be conjured. They expected that this would be a vibrant discussion and instead was anything but that.

However, what T+M was factually able to demonstrate, were the environmental constraints and buffer requirements of the property and considerations that would further constrain design with requirements to capture water drainage and manage and retain stormwater runoff on site.

I asked if the fence between the Board of Education and the Pit had to remain. Could the project(s) incorporate the property of both entities? Athletic Director Sean Dowling said he would take this request to the Board of Ed. And that was the end of interaction with T+M Associates.

The committee then broke down into an Active Recreation Committee and a Passive Recreation Committee. A subcommittee of the passive committee was a natural resources committee. I volunteered to chair the passive committee and was ignored, as well as told that since I was “ex officio” that I could not vote. A lengthy discussion ensued as I pointed out from Roberts Rules of Order that “ex officio” did not mean “can’t vote,” it means in essence a part of every committee.

Fine. I didn't have to chair a committee, no one was volunteering and I just wanted to get moving. And besides, what was there to vote upon when we were supposed to be “visioning” for T+M?

At the next meeting it was pointed out that I had been correct, I could vote. But no one was to speak to T+M Associates. I also had apparently been mistaken that this was an open and inclusive process. A gentleman who is an experienced fundraiser and interested in creating a dog park on the site attended the meeting at my invitation. He was asked to leave and put his ideas in writing. I have to tell you I was mortified. It was then declared that these were to be “closed” meetings to the public.

Meanwhile, the Recreation Committee became the Active Recreation subcommittee and went about designing with all recreation and board of education stakeholders involved, and interacting with a variety of artificial turf companies. They did their

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research, gathered their statistics and worked to come up with their final plan, which was shown and further refined at the December Recreation Committee meeting, which I attended.

The Passive Committee met and rolled out a plan with a possible dog park, butterfly habitat, and community gardens, and there was discussion of creating trails to follow the natural sites of the property by “walking them in” – or creating a beaten path. This meeting was also in December.

At that meeting, I explained that this was probably as far as we could go *until* the engineering firm could site the logistics for stormwater management and utilities in concert with whichever artificial turf company and incorporate the new parking lot/turnaround and gatehouse relocation, in coordination with Rockefeller Group and the rules of the Direct Reciprocal Easement, or DRE.

T+M Associates called me and asked where the project stood. I explained what we had in drawings and wish lists and they explained the need to move as quickly as possible so that they could determine quantities of runoff and retention areas to begin the permitting process, which can take 3 months or more with the State and County, before we can get a shovel in the ground.

The last interaction I had with T+M Associates was to point them in the direction of Joe Trause at the Board of Education so that they might obtain a topographical map of the Board of Education property, thereby saving the Borough the expense of reshooting the “topo.”

Now I realize I may work at a little faster pace than some. However, had this process been handled as the visioning process Dr. Esposito chaired last year with the Downtown Development Commission and approximately 60 stakeholders, including just folks who wanted to participate, the stakeholders would have broken up into several mixed teams, “boarded” all of their ideas, walked the area and noted features (good and bad), gathered their statistics (with Lincoln Place, time lapse photography and a man-on-the-street questionnaire was the statistical analysis) and let the design firm, in the case of Lincoln Place, Project for Public Spaces, come up with some ideas. In the case in the instant, T+M Associates have been stymied.

Back to Lincoln Place, a second meeting was held with suggested solutions to the problems and ideas to enhance the area. This “mapping,” if you will, was then brought back to the whole group for their thoughts, again, and to watch the time lapse photography. Comments and ideas elicited were taken back by the design team and drafted for the DDC. It was a two-way, dynamic process where all thoughts and ideas were welcome.

At the December DDC meeting, the drawings were further refined and priorities placed.... with a shovel-ready project ready for coordination among, electric dept., gas company, railroad, merchants, tenants, etc.

Three meetings in total. Started in the Summer, and finished in December.

Where we are going

The 49 acres parcel project must become a “like” dynamic project. The active recreation committee is ready to submit their design thoughts or wishes to T+M. That is the site driver. Fields. Fields. Fields. They were a priority for acquisition

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employing a fields coverage that would best promote aquifer recharge in the cleanest and most efficient manner.

Meanwhile.... the butterfly habitat is already there. Jane Hurwitz brought some wonderful imaginative ideas to the last passive meeting. Let us begin documenting species and create learning stations. Let's ask T+M what they have seen in other parks, maybe spark some new ideas for consideration.

Downed trees..... let's get our volunteers together to clear brush and cut up downed trees and limbs.

The Rose City Steppers have no representatives on this committee, and yet are very excited about adding a new program for their members to "walk in" those beaten paths by leading walks twice a week. We have Sarah Webb's species report, let's use it.... and again provide a mechanism to learn what our native plants are. Volunteers also want to learn what is invasive and what can be removed. In fact they want to help in other parks.

Once the fields' outflow and utilities have been located, it's time to find if the preferred spots for a community garden and dog park are available. Can we harvest any of that rain fall?

T+M had some interesting "first blush" thoughts for taking advantage of topography overlooking the highway from a pavilion. If a pavilion, can it have a solar roof?

What happened to learning from Cheshire Home what might be recreational for handicapped individuals, specifically their residents since the 49-acres are their backyard. They too have had zero input in the process.

So, no. No one is canceling or terminating the committee or casting aside the thoughts put together over the last seven months of meetings. There are just a whole host of Madisonians and ideas that haven't been included in the process.

As to financing:

Messrs. Codey, Kalafut, Mezzacca, Rogut and Evans will meet to decide the best financing structure going forward. There are several scenarios possible for moving forward. The board of education has, on a handshake, said they will pass a resolution to commit \$1 million from the sale of the Green Village Road School to match the Borough's \$1 million. The last piece, up to \$1 million, the Madison Athletic Foundation has commitments from all sporting groups to create a sinking fund of user fees; seek grants; and aggressively pursue individual and corporate donations, as they did in the construction of Monica Field, which the Board of Ed and the Borough were both contributing partners.

Summary

If just one question about removing the fence between the Board of Ed and the Pit was one good idea, how many others have we missed?

These can be captured once T+M and the artificial turf engineers can meet and the engineering constraints of the property are in place; a contract may be entered getting Madison into a turf company's installation queue; and the permitting process

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begun. To wait any longer, we will miss yet another year of getting this long-overdue complex started.

01/11/2010-4 DEVELOPERS AGREEMENT – 73 CENTRAL AVENUE

Mr. Mezzacca explained that a developer's agreement is required by the Planning Board for minor subdivision approval with variance relief for the property located at 73 Central Avenue. There was no objection to the developer's agreement. Resolution R 37-2010 will be listed on the Consent Agenda.

ADVERTISED HEARINGS - None

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

The ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of January 25, 2010, in the 3rd Floor Meeting Room of Bayley-Ellard High School, 205 Madison Avenue off Danforth Road in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinance will be published in the Madison Eagle, be posted at the main entrance to Bayley-Ellard High School and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 1-2010

ORDINANCE OF THE BOROUGH OF MADISON AMENDING SECTION 190-33 OF THE BOROUGH CODE ENTITLED "FEES FOR DEPARTMENT SERVICES" TO INCREASE FEES FOR WATER DEPARTMENT SERVICES

WHEREAS, the Borough Administrator has recommended that the fees for services by the Water Department be increased 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 190 of the Borough Code entitled "Water" shall be amended as follows:

SECTION 1:

§ 190-33. Fees for Department services.

Fees for services rendered by the Department, as provided for herein, shall be as follows:

- A. Supervision of main and service line leakage and pressure tests as provided for in § 190-6 herein: \$280 per day, or \$35 per hour for each hour or fraction thereof during which the presence of the Inspector is required.

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- B. Inspection of main and service line construction as provided for in § 190-8 herein: \$280 per day, or \$35 per hour for each hour or fraction thereof during which the presence of the Inspector is required.
- C. Tapping of main, construction of service line and installation of meter as provided for in § 190-11 herein:
 - (1) Three-fourths inch: \$1,500, including material and labor.
 - (2) One inch: \$2,000, including material and labor.
 - (3) One and one-half inches: \$2,800, including material and labor.
 - (4) Two inches or greater via outside contracted services.
- D. Services in new subdivisions as provided for in § 190-12 herein and for meter installations as provided for in § 190-13 herein:
 - (1) Three-fourths inch: \$75 per service.
 - (2) One inch: \$150 per service.
 - (3) One and one-half inches: \$200 per service.
 - (4) Two inches: \$250 per service. In the case of three-fourths-, one-, one-and-one-half- and two-inch service, labor, excavation and all materials, except the meter, shall be provided by the developer. In the case of larger services, labor, excavations and all material and the meter shall be provided by the developer as approved by the Water Utility.
 - (5) Four inches: \$450 per service.
 - (6) Six inches: \$1,000 per service.
 - (7) Eight inches: \$1,800 per service.
- E. Temporary services as provided for in § 190-14 herein: \$35. Labor, excavation and material shall be provided for by the applicant.
- F. Resetting, repairing or replacement of curb box as provided for in § 190-17 herein: \$450, including all labor and materials.
- G. Discontinuation and/or restoration of service as provided for in § 190-24 herein: \$50 each.
- H. Meter test of meter two inches or less as provided for in § 190-25 herein: \$20.
- I. Hydrant maintenance fee as provided for in § 190-28 herein: \$115 per year.
- J. Fire sprinkler service fee.

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- (1) Four-inch connection: \$57.50 per quarter.
- (2) Six-inch connection: \$71.25 per quarter.
- (3) Eight-inch connection: \$107.50 per quarter.

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

Dr. Esposito moved that Ordinance 1-2010, which the Borough Clerk read by title, be adopted. Mr. Links seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
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. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

R 33-2010 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO ROBERT KOPACZ FOR FILMING OF BOROUGH COUNCIL MEETINGS AND SPECIAL EVENTS FOR TELEVISION

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

WHEREAS, the Borough Administrator has recommended that the Contract should be awarded to Robert Kopacz as a media consultant, in the amount of \$450 per Borough Council meeting and \$100 per hour for consulting services as may be agreed upon; and

WHEREAS, the Borough Council has determined to award said contract to Robert Kopacz; and

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WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$450 per Borough Council meeting and \$100 per hour for consulting services for this purpose, from the 2010 budget.

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

1. The Contract is hereby awarded to Robert Kopacz, of Summit, NJ as a media consultant based upon his quote in the amount of \$450 per Borough Council meeting for filming of Borough Council meetings for television and \$100 per hour for other consulting services the Borough may request.

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

**R 34-2010 RESOLUTION OF THE BOROUGH OF MADISON APPROVING
RAFFLES LICENSE APPLICATIONS SUBMITTED BY ST. VINCENT MARTYR
CHURCH, BULLPEN CLUB INC. AND PTO LIBERTY CORNER SCHOOL**

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

ST VINCENT MARTYR CHURCH

I.D. No. 274-1-812

R.A. No. 1139 – Off Premise

March 3, 2010

BULLPEN CLUB INC

I.D. No. 274-5-35149

R.A. No. 1140 – Off Premise

April 10, 2010

PTO LIBERTY CORNER SCHOOL

I.D. No. 253-5-36403

R.A. No. 1141 – On Premise

R.A. No. 1142 – On Premise

March 3, 2010

BULLPEN CLUB INC.

I.D. No. 274-5-35149

R.A. No. 1143 – On Premise

February 6, 2010

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

R 35-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AMENDMENT TO NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROJECT AGREEMENT

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Madison has previously obtained a grant of \$1,100,000.00 from the State to fund the following project(s): Madison Borough Open Space Acquisition; and

WHEREAS, the State and the Borough of Madison intends to increase Green Acres funding; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project.

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. That Mayor Mary-Anna Holden or the successor to the office of Mayor is hereby authorized to execute an Amendment to the Agreement increasing funding to \$1,600,000.00, which Amendment shall be reviewed and approved by the Borough Attorney; and

2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,600,000.00. (Total project cost is \$3,200,000.00.)

3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and

4. The applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project.

5. That this resolution shall take effect immediately.

R 36-2010 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 27-2010 APPOINTING ROBERT LANDRIGAN TO THE POSITION OF EMERGENCY MANAGEMENT COORDINATOR FOR UNEXPIRED TERM THROUGH DECEMBER 31, 2012

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WHEREAS, the Borough of Madison adopted Resolution 27-2010 appointing Robert Landrigan to the position of Emergency Management Coordinator for the Borough of Madison, however the resolution erroneously states the term as ending December 31, 2010 when it should have been December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Resolution 27-2010 is hereby amended to state the appointment of Robert Landrigan to the position of Emergency Management Coordinator for the Borough of Madison is for the unexpired term through December 31, 2012.

R 37-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING DEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF MADISON AND CARMEN VACCHIANO, FOR PREMISES AT BLOCK 1702, LOTS 7 AND 8

WHEREAS, Carmen Vacchiano is the owner of certain property in the Borough of Madison designated as Block 1702, Lots 7 and 8, on the current Tax Map of the Borough, with a street address of 73 Central Avenue; and

WHEREAS, Carmen Vacchiano has obtained from the Madison Planning Board minor subdivision approval with variance relief for the above Property by Resolution adopted January 27, 2009; and

WHEREAS, the Resolution adopted by the Madison Planning Board required that a Developer's Agreement be entered into between Carmen Vacchiano and the Borough of Madison; and

WHEREAS, the Madison Borough Engineer has recommended that the Developer's Agreement be entered into.

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

1. The Developer's Agreement between Carmen Vacchiano and the Borough of Madison regarding the proposed development on Block 1702, Lots 7 and 8, is hereby approved.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into such agreement on behalf of the Borough of Madison in a form acceptable to the Borough Attorney.

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

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provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Eugene Zipper, Greenwood Avenue, asked about the progress of the renovation of the Hartley Dodge Memorial building. Mayor Holden noted that an event to commemorate the dedication of the building would take place this Memorial Day.

Thomas Haralampoudis, Pomeroy Road, commended the MRC Advisory Committee for the work they've done. Mr. Haralampoudis feels that they have focused on what had to be done and that he was not aware of anyone being omitted from participating. Mr. Haralampoudis would like to see the project completed this year and would hope that the Advisory Committee will be asked for additional suggestions.

Chris Kellogg, Walnut Street, noted that working with the MRC Advisory Committee has been a great experience and that the Committee should continue its work. Mr. Kellogg noted the importance of a map to show the visual effect to generate ideas.

Jeff Sarrett, Rachael Street, inquired about a time line for the MRC project and asked what the next step is. Mayor Holden explained that a meeting with T & M Associates will take place very soon and that permits will take some time to attain.

Tim Harrington, Cross Gates Road, asked that information regarding the MRC be made available on the website. Mr. Harrington commended the Public Works Department for snow removal and noted that utility rates seem high in Madison. Mr. Harrington asked that budget information be broken down by numbers more easily understood by residents.

David Carver, Belleau Avenue, encouraged the governing body to move forward with the fields, to take advantage of the time and place, and to let the other passive grounds move with additional planning, but get started on creating the fields.

Martin Horn, West Lane, thanked all those who attended the Council meeting. Mr. Horn encouraged the Mayor and Council to structure the Committee as quickly as possible, to respect the work that has already been done and to respect that there is a window of opportunity in June to get these fields done.

Charles Courtney, Morris Place, noted his participation in the Mayor's Wellness Campaign as a member of the Senior Citizens and suggested that the next crucial meeting for the fields at the 49 acres include Borough Officials, as well as members of the Advisory Committee, to help smooth out some ill feelings.

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	\$39,920.55
Health & Public Assistance	14,733.38
Public Works & Engineering	134,504.56

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Community Affairs	5,978.54
Finance & Borough Clerk	1,511,312.64
Utilities	<u>19,705.59</u>
Total	<u>\$1,726,155.26</u>

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

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
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 9:40 p.m. and the Executive Session immediately reconvened.

RECONVENE AND ADJOURN

The Regular Meeting reconvened at 10:30 p.m. and immediately adjourned.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved January 25, 2010 (EO)