

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

May 23, 2011 – 6:30 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 May, 2011. Dr. Esposito called the meeting to order at 6:30 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 6, 2011. 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:

Absent: Mayor Mary-Anna Holden, excused

Council Members:

Robert H. Conley
Jeannie Tsukamoto
Vincent A. Esposito
Sebastian J. Cerciello
Donald R. Links
Robert G. Catalanello

Also Present:

Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Borough Administrator
Elizabeth Osborne, Borough Clerk
Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Conley moved:

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

MINUTES FOR APPROVAL (1)

May 9, 2011

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

CONTRACT MATTERS (2)

MRC SYNTHETIC TURF SPORTS FIELDS

SPECIAL EVENTS POLICY

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

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PERSONNEL MATTERS (3)
ENGINEERING DEPARTMENT
APPOINT SUMMER INTERN
SPECIAL LEGAL COUNSEL

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

Seconded: Mrs. Tsukamoto
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Dr. Esposito reconvened the Regular Meeting at 8:15 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Mrs. Tsukamoto moved approval of the **Executive Minutes of May 9, 2011**. Mr. Conley seconded the motion, which passed with the following roll call vote recorded:

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

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of May 9, 2011**. Mr. Conley seconded the motion, which passed with the following roll call vote recorded:

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

GREETINGS TO PUBLIC

Dr. Esposito made the following comments:

The Morris County Historical Trust will tour the newly renovated Hartley Dodge Memorial building on Wednesday, May 25, 2011. as part of the final presentation for grant funds for a preservation plan for the building.

REPORTS OF COMMITTEES

Finance and Borough Clerk

Mr. Conley, Chair of the Committee, made the following comments:
The Madison Community pool will open Saturday May 28, 2011, with improved parking.

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
The Madison Police Department will hold an Open House on Saturday June 4, 2011 from 9:00 am to 2:00 pm. Resident can now follow the activities of the Madison Fire Department on Facebook and Twitter. The Police Department is participating in the "Click It or Ticket" campaign through June 5th.

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Utilities

Dr. Esposito, Chair of the Committee, made the following comments:
The Electric Study Committee will meet this Tuesday to begin planning strategies to reduce costs well in advance of the conclusion of the current electric contract which runs through May of 2014.

Public Works and Engineering

Mr. Cerciello, Chair of the Committee, made the following comments:
New Jersey Transit will begin repairs to the Elm Street train trestle. New construction has begun on the former Verizon building located at Park Avenue and Chateau Thierry. Mr. Cerciello noted that the crosswalks on Kings Road have faded. Mr. Cerciello commended the road reconstruction on Woodland Road.

Health & Public Assistance

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

Community Affairs

Mr. Catalanello, Chair of the Committee made the following comments:
The Madison Recreation Summer Musical will be "Foot Loose". Auditions will take place Friday, June 10th from 3:00 - 4:30 PM at the Madison High School auditorium. June Sale Days at downtown merchants will take place June 2nd through the 4th.

COMMUNICATIONS AND PETITIONS- none

INVITATION FOR DISCUSSION (1 of 2)

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

Robert McDowell, Knollwood Avenue, inquired about funding for the proposed synthetic turf fields project.

Sandra Kolakowski, Park Avenue, raised concern regarding funding, preparation of project documents, a suit filed by a manufacturer and the bidding process for the synthetic turf fields. Ms. Kolakowski urged Councilmembers to vote against awarding the project at this time.

Jane Reynolds; Greenwood Avenue, raise concern regarding health issues and turf fields and funding for the proposed project. Ms. Reynolds encouraged the Council to move more slowly.

Paul DiGiacomo; Union Hill Road, offer an opinion in favor of proceeding with synthetic turf fields, noted limited fields for use in Madison.

Thomas Bintinger, Green Avenue, encouraged the Council to consider the financial impact of the project proposed, noting changes to economic conditions since the original concept for fields project.

Tim Harrington; Crossgates Road, raised concern regarding tax increases in the next budget year and hopes the turf field project is successful.

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Marty Horn, West Lane, offered his support for the synthetic turf sports fields and commented on fund raising for the project. Mr. Horn encouraged anyone interested in volunteering get involved.

Brian Agnew; East Lane, encouraged Council to approve a resolution for award of the synthetic turf fields project and noted that fundraising should increase once the project begins.

Stephen Stocker; Park Avenue, encouraged the Council to reconsider the synthetic turf fields project .

Nancy Bengali; Candlewood Drive, raised concern regarding the condition of Green Avenue, noting numerous potholes.

Marie Moore; Fox Chase Road encouraged Council to set aside fund for the reconstruction of Green Avenue.

Peter Rogen; West Lane, noted that the Madison Athletic Foundation raised 100% of the funds for the synthetic tuft fields at Madison High School, and once the project starts, funding should increase.

Ronald Poeter, Shunpike Road, urged Council to consider repaving Green Avenue, noting poor conditions.

AGENDA DISCUSSIONS

05/23/2011-1(a) AWARD CONTRACT TO LANDTEK GROUP, INC.
AMITYVILLE, NY FOR MADISON RECREATION COMPLEX SYNTHETIC TUFT
SPORTS FIELDS

Mrs. Tsukamoto moved adoption of Resolution R 127-2011. Mr. Links seconded the motion.

Mr. Conley stated his support of a fields project from the beginning, but indicated his concern regarding the lose of partners for funding, and the proposed fundraising.

Mrs. Tsukamoto asked about the total cost of the project as referred to the original ordinance, and asked for clarification of the funding. Mrs. Tsukamoto stated that the fields are a sound investment for the Borough.

Mr. Cerciello stated his concerns regarding the proposed project, noting his support for the project, but raised concern that the Borough getting its money's worth.

Mr. Links indicated that the project is right for the children of Madison, by greatly enhancing the recreational program.

Mr. Catalanello asked the Borough Attorney if he was confident that all local public contract rules were followed.

Mr. Mezzacca stated that the award of the bid to the second lowest bidder is proper according to local public contract law.

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

R 127-2011 RESOLUTION OF THE BOROUGH OF MADISON AWARDING BID FOR THE MADISON RECREATION COMPLEX SYNTHETIC TURF SPORTS FIELDS

WHEREAS, the Borough of Madison publicly advertised for bids for installation of two synthetic turf fields at the Madison Recreation Complex (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the apparent lowest bid submitted by Tomco Construction, Inc., did not comply with statutory requirements and must be rejected; and

WHEREAS, the lowest qualified bid was submitted by The Landtek Group, Inc., of Amityville, New York, in the total contract amount of \$3,398,000.00 for the base bid plus alternates #1 and #2; and

WHEREAS, the Borough Administrator has recommended that the Borough Council award the contract to The Landtek Group, Inc., of Amityville, New York, in the total contract amount of \$3,398,000.00 for the base bid plus alternates #1 and #2; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$3,398,000.00 for this purpose from Ordinance 2-2011.

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

1. The contract for installation of two synthetic turf fields at the Madison Recreation Complex is hereby awarded to The Landtek Group, Inc., of Amityville, New York based upon its bid in the amount of \$3,398,000.00 for the base bid plus alternates #1 and #2.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with The Landtek Group, Inc., of Amityville, New York in a form acceptable to the Borough Attorney.

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

Nays: Mr. Conley, Mr. Cerciello

05/23/2011-1 APPROPRIATION OF \$450,000.00 FROM THE CAPITAL FUND BALANCE FOR RECONSTRUCTION OF GREEN AVENUE

Following discussion there was no objection to listing Ordinance 20-2011 for introduction to appropriate \$450,000.00 from the Capital Fund Balance for the reconstruction of Green Avenue.

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Ordinance 20-2011 is listed for introduction.

05/23/2011-2 APPROPRIATION OF \$539,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR RECONSTRUCTION OF PINE, CEDAR, ROSE AND BEECH AVENUES

There was agreement with Mrs. Tsukamoto's recommendation to appropriate \$539,000.00 from the Capital Improvement fund for the reconstruction of Pine, Cedar, Rose and Beech Avenues.

Ordinance 21-2011 is listed for introduction.

05/23/2011-3 AUTHORIZATION OF ON-LINE AUCTION BY MADISON POLICE DEPT. BY PROPERTYROOM.COM

Council was in agreement to authorize an online auction of surplus property recovered by the Madison Police Department as recommended by Purchasing Officer Elizabeth Crescibene.

Resolution R 133-2011 is listed on the Consent Agenda.

05/23/2011-4 WATER LINE INSURANCE PROGRAM

There was no objection to Mr. Catalanello's recommendation to offer Madison residents a voluntary Water Line Insurance program for an additional fee. This program would increase services to residents and generate revenue as well.

05/23/2011-5 USE OF VEHICLES POLICY

Mr. Burnet explained a proposed update to the Borough Employees' handbook to clarify issues of approval of use of Borough owned vehicles. There were no objections to the policy changes.

ADVERTISED HEARINGS

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on May 9, 2011, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

Dr. Esposito called up Ordinances for second reading and asked the Clerk to read said ordinances by title:

ORDINANCE 18-2011

ORDINANCE OF THE BOROUGH OF MADISON AMENDING SECTION 136-32 OF THE BOROUGH CODE ENTITLED "SPECIAL EVENT PERMITS"

WHEREAS, the Borough Council has determined to amend Section 136-32 of the Borough Code entitled "Special Events Permits" to provide that the governing body must approve any permit for use of the Hartley Dodge Memorial.

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NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Section 136-32 of the Borough Code entitled “Special Event Permits” shall be amended as follows:

SECTION 1:

§ 136-32 Special Event Permits.

A.

B.

(2) A permit shall be issued by the Borough Clerk in consultation with the appropriate department head and Business Administrator and approval by the governing body upon the recommendation of the Business Administrator, provided that a permit for use of the Hartley Dodge Memorial may only be issued upon approval of the governing body, and for all permits on all properties after making the following findings:

- (a) That the proposed activity or use of the municipal property will not unreasonably interfere with or detract from the general public enjoyment of the subject property.
- (b) That the nature and character of the proposed activity or use of the property is not reasonably anticipated to incite violence, crime or disorderly conduct.
- (c) That the proposed activity or use of the property will not entail extraordinary or burdensome expense on the public safety operations of the Borough.
- (d) That the property or facility desired has not been reserved for other use at the date and hour desired in the application.
- (e) That all conditions on the special event permit application as to insurance, security, indemnification, fees and bonding have been satisfied.
- (f) The Borough reserves the right to waive any and all conditions or to reject the application in their sole discretion.
- (g) Cosponsorship of any special event as defined herein shall require specific prior written approval of the governing body.
- (h) Such other reasonable conditions as may be required by the municipality.

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- (i) The requirements for obtaining a permit under this chapter shall not relieve any person or group of persons from obtaining such further permits or approvals as may be required now or in the future by reason of any state or federal law.

....

SECTION 2: All other provisions of the Ordinance not inconsistent

herewith shall remain the same.

Dr. Esposito opened up the public hearing on Ordinance 18-2011. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 18-2011, which the Clerk read by title, be finally adopted. Mr. Cerciello seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

Dr. Esposito declared Ordinance 18-2011 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 19-2011

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 147 OF THE BOROUGH CODE ENTITLED “FEES”

WHEREAS, the Chief of Police has recommended that the fees for fingerprinting for fire arms, real estate, etc., be amended; 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 Section 147-1 of the Borough Code entitled “Fees for copies of particular records and documents” shall be amended as follows:

SECTION 1:

§ 147-1 Fees for copies of particular records and documents.

....

C. Police records.

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(7) Fingerprinting for firearms, real estate, etc.: \$20 per card.

....

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

Dr. Esposito opened up the public hearing on Ordinance 19-2011. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 19-2011, which the Clerk read by title, be finally adopted. Mr. Cerciello seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

Dr. Esposito declared Ordinance 19-2011 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

INVITATION FOR DISCUSSION (2 of 2)

Dr. Esposito opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record.

He/she shall limit his/her statement to three (3) minutes or less.

Mia Romano-Brown; Pine Avenue, thanked the Council for introduction ordinance 21-2011, for reconstruction of Pine, Cedar, Rose and Beech Avenues.

Tim Harrington; Crossgates Road, asked why there is no expenditure for the MRC fields in the 6 year Capital budget. Mr. Harrington inquired about tax appeals. Mr. Harrington asked when a Councilmember must recuse from a vote

Marie Moore; Fox Chase Road, thanked the Council for introduction ordinance 20-2011, for reconstruction of Green Avenue.

Don Brunner, Redmond Drive, asked when new speed signs will be posted on Ridgedale Avenue.

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of x, 2011 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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Dr. Esposito called up Ordinances for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 20-2011

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$450,000.00 FROM THE CAPITAL FUND BALANCE FOR RECONSTRUCTION OF GREEN AVENUE (WOODLAND TO SHUNPIKE)

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$450,000.00 from the Capital Fund Balance for reconstruction of Green Avenue from Woodland Road to Shunpike Road; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Capital Fund Balance in an amount not to exceed \$450,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$450,000.00 from the Capital Fund Balance for reconstruction of Green Avenue from Woodland Road to Shunpike Road; and

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

SECTION 1: The amount of \$450,000.00 is hereby appropriated from the Capital Fund Balance for reconstruction of Green Avenue from Woodland Road to Shunpike Road.

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

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

Mrs. Tsukamoto moved that Ordinance 20-2011, which the Borough Clerk read by title, be adopted. Mr. Cerciello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 21-2011

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$539,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR RECONSTRUCTION OF PINE, CEDAR, ROSE AND BEECH AVENUES

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WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$539,000.00 from the General Capital Improvement Fund for reconstruction of Pine, Cedar, Rose and Beech Avenues; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$539,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$539,000.00 from the General Capital Improvement Fund for reconstruction of Pine, Cedar, Rose and Beech Avenues; and

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

SECTION 1: The amount of \$539,000.00 is hereby appropriated from the General Capital Improvement Fund for reconstruction of Pine, Cedar, Rose and Beech Avenues.

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

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

Mrs. Tsukamoto moved that Ordinance 21-2011, which the Borough Clerk read by title, be adopted. Mr. Cerciello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

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.

R 123-2011 RESOLUTION OF THE BOROUGH OF MADISON RESCINDING RESOLUTION 311-2010 AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT WITH THE MADISON HOUSING AUTHORITY REGARDING 22 ORCHARD STREET

WHEREAS, Resolution 311-2010 authorized the Mayor and Borough Clerk to execute a Cooperation Agreement with the Madison Housing Authority regarding development of affordable housing at 22 Orchard Street; and

WHEREAS, the director of the Madison Affordable Housing Corporation has advised that the Madison Affordable Housing Corporation did not receive funding

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from the Morris County Community Development Block Grant Program for the purchase of the property; and

WHEREAS, the Borough Administrator has recommended that Resolution 311-2010 be rescinded; and

WHEREAS, the Mayor and Council have determined that Resolution 311-2010 should be rescinded and that the Cooperation Agreement with the Madison Housing Authority should not be executed.

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 311-2010 is hereby rescinded.

R 124-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CHAMBER OF COMMERCE SIDEWALK SALE SATURDAY, JUNE 4, 2011

WHEREAS, the Madison Chamber of Commerce is hosting their Annual June Sales from Thursday, June 2, 2011, through Saturday, June 4, 2011; and

WHEREAS, the Madison Chamber of Commerce has requested permission to invite service businesses without store fronts to set up tables in the downtown area on Saturday, June 4, 2011 only.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Madison Chamber of Commerce is authorized to invite service businesses without store fronts to set up tables in the downtown area on Saturday, June 4, 2011, and the sidewalk ordinance is waived for this purpose.

R 125-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING 1st ANNUAL PEDIATRIC ANGEL NETWORK RUN ON SATURDAY, JUNE 18, 2011

WHEREAS, the Pediatric Angel Network has requested permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with a charity Run; and

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

WHEREAS, the Pediatric Angel Network has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Pediatric Angel Network is hereby granted permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with a charity Run to be conducted on Saturday, June 18, 2011, between the hours of 8:00 a.m. and 1:00 p.m. subject to the condition that the Pediatric Angel Network reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

R 126-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING 27th ANNUAL GIRALDA FARMS RUN ON SUNDAY, NOVEMBER 13, 2011

WHEREAS, the Rose City Runners Club has requested permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run; and

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

WHEREAS, the Rose City Runners Club has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Rose City Runners Club is hereby granted permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run to be conducted on Sunday, November 13, 2011, between the hours of 12:00 (noon) and 2:00 p.m. subject to the condition that the Rose City Runners Club reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

R 127-2011 listed above

R 128-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AGREEMENT WITH SAI ENTERPRISES OF BURLINGTON, MA FOR ON LINE WORK ORDER AND VEHICLE MAINTENANCE SYSTEM

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WHEREAS, the Director of Technology has advised the Council that the Public Works Department is in need of an online system for tracking work orders and vehicle maintenance; and

WHEREAS, the Borough of Madison solicited quotes for the development of an online system for tracking work orders and vehicle maintenance for the Public Works Department (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-6.1, et seq.; and

WHEREAS, the Director of Technology has recommended that the Contract should be awarded to SAI Enterprises of Burlington, Massachusetts, in the amount of \$3,975.00; and

WHEREAS, The Borough Council has determined to award said contract to SAI Enterprises; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$3,975.00 for this purpose.

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 SAI Enterprises of Burlington, Massachusetts based upon its quote in the amount of \$3,975.00 for the development of an online system for tracking work orders and vehicle maintenance for the Public Works Department.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the Contract with SAI Enterprises of Burlington, Massachusetts in a form acceptable to the Borough Attorney.

R 129-2011 RESOLUTION OF THE BOROUGH OF MADISON APPROVING BANNERS FOR DISPLAY FOR THE "PARENTS WHO HOST LOSE THE MOST" CAMPAIGN SPONSORED BY MAASA AND MADISON POLICE DEPARTMENT

WHEREAS, MAASA and the Madison Police Department have requested permission to hang three banners in visible locations in Madison , for the period May 14, 2011 through June 30, 2011 as part of their "Parents Who Host Lose the Most" campaign; and

WHEREAS, the Borough Council is authorized to permit these displays pursuant to Section 195-34(A)(8) of the Madison Borough Code.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Madison, County of Morris, State of New Jersey, hereby approves the request of MAASA and the Madison Police Department to hang three banners in visible locations in Madison, for the period May 14, 2011 through June 30, 2011 as part of

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their “Parents Who Host Lose the Most” campaign, with the location of said banners to be approved by the Assistant Borough Administrator.

R 130-2011 Item Removed and # Retired

R 131-2011 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF ROBERT NOVACK TO SUMMER INTERN POSITION IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Purchasing/Personnel Officer has recommended the appointment of Robert Novack to the position of Summer Intern in the Public Works Department; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Robert Novack to the position of Summer Intern in the Public Works Department effective May 11, 2011 at the rate of pay of \$9.00 per hour is hereby ratified.

R 132-2011 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY BULLPEN CLUB INC.

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:

BULLPEN CLUB INC.

I.D. No. 274-5-35149
R.A. No. 1181 – Off Premise
February 15, 2011

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

R 133-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ON-LINE AUCTION OF SURPLUS PROPERTY BY THE MADISON POLICE DEPARTMENT WITH PROPERTYROOM.COM

WHEREAS, the Borough of Madison has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

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WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act (P.L. 2001, c.30) authorizes the sale of surplus property no longer needed for public use through the use of an online auction services; and

WHEREAS, the Borough of Madison has intends to utilize the online auction services of PropertyRoom.com located at www.propertyroom.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Borough is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.propertyroom.com.

BE IT FURTHER RESOLVED that the terms and conditions of the agreement entered into between PropertyRoom.com and the Borough of Madison are available at www.propertyroom.com and in the Borough Clerk's office.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded by the Borough Clerk to the State of New Jersey Division of Local Government Services.

R 134-2011 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING CASTANO QUIGLEY LLC AS SPECIAL REDEVELOPMENT COUNSEL FOR THE REDEVELOPMENT OF THE GREEN VILLAGE ROAD SCHOOL SITE

WHEREAS, the Council has determined to appoint Castano Quigley LLC, West Caldwell, New Jersey as Special Redevelopment Counsel to represent the Borough of Madison in the redevelopment process of the Green Village Road School site; and

WHEREAS, Castano Quigley LLC will be compensated at the rate of \$195.00 per hour; and

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

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

WHEREAS, Castano Quigley LLC must submit to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, Castano Quigley LLC must complete and submit a Business Entity Disclosure Certification which certifies that Castano Quigley LLC has not

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made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit Castano Quigley LLC, from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has attested to the availability of funds in an amount not to exceed \$195.00 per hour for this purpose.

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. Castano Quigley LLC is hereby appointed Special Redevelopment Counsel at the rate of \$195.00 per hour in regard to the aforementioned legal proceedings.

2. Ten days after receipt of the Business Entity Disclosure Certification and other required documents, the Mayor and Borough Clerk are authorized to execute on behalf of the Borough a professional services contract or retainer letter with Castano Quigley LLC at a cost not to exceed \$195.00 per hour in a form acceptable to the Borough Attorney.

3. When received, the Business Entity Disclosure Certification, Political Contribution Disclosure Form and the Determination of Value shall be placed on file with this resolution.

4. The Borough Clerk is hereby directed to publish notice of the adoption of this Resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption, pursuant to N.J.S.A. 40A:11-5.

R 135-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING BOY SCOUT VENTURE CREW TO PLANT ROSES IN PUBLIC SPACES

WHEREAS, the Boy Scout Venture Crew has requested permission to plant roses at the flag pole island at the intersection of Kings Road and Green Avenue and other public spaces in the Borough of Madison; and

WHEREAS, the Assistant Borough Administrator has recommended that the request be granted; and

WHEREAS, the Madison Shade Tree Management Board, the Madison Parks Advisory Committee, the May Day/Downtown Development Committee and the Department of Public Works have approved the project.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the request of the Boy Scout Venture Crew to plant roses at the flag pole island at the intersection of

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Kings Road and Green Avenue and other public spaces in the Borough of Madison as set forth herein is approved.

R 136- 2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE BOROUGH TO CHANGE TELEPHONE SERVICE TO BROADVIEW NETWORKS FROM VERIZON

WHEREAS, the Borough Administrator has recommended that the Borough change its telephone service to Broadview Networks in order to have a monthly cost savings of \$1,624,07; and

WHEREAS, the Borough currently utilizes Verizon as its telephone service.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Borough Administrator is authorized to arrange to switch the telephone service for the Borough from Verizon to Broadview Networks in accordance with the communications proposal submitted by Broadview Networks in order to effectuate the cost savings set forth herein.

R 137-2011 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING SPECIAL EVENTS POLICY FOR THE HARTLEY DODGE MEMORIAL

WHEREAS, the Council has determined to adopt a special events policy for use of the Hartley Dodge Memorial pursuant to Section 136-32 of the Borough Code as amended by Ordinance 18-2011.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the following Hartley Dodge Memorial Special Events Policy is hereby adopted:

1. Pursuant to Section 136-32B(2), a permit for use of the Hartley Dodge Memorial building for a special event may only be issued upon approval of the governing body.
2. No rental fee will be charged. However, custodial service charges of \$65 per hour will be assessed.
3. Only the rotunda, first floor gallery, court room, committee room and Council Chamber of the Hartley Dodge Memorial will be available for use.
4. Permitted capacity will be determined on a case by case basis by the Madison Fire Department according to the uniform Fire Code.
5. Organizations and their food/bar service vendors must provide a certificate of liability insurance with a \$1 million minimum coverage listing the Borough of Madison as an additional insured.

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6. A tax-exempt form must be presented if the organization is not-for-profit.
7. Full payment is due five days prior to the event date.
8. All cooking is prohibited. There is no kitchen facility, no microwave oven or refrigerator available.
9. No open flames are permitted. This includes the use of Sterno and candles.
10. No supplies will be provided.
11. Beer and white wine are permitted. No red wine is permitted in the building.
12. A liquor license to serve alcohol at the event is required of all organizations and their food/bar vendors if they wish to serve beer and/or wine.
13. No food and drinks are permitted in carpeted areas.
14. Additional security (police and fire) may be required at the expense of the organization, as determined by the Chief of Police and the Fire Chief.
15. No decorations, banners, signs, posters, confetti-like materials and other items may be nailed, taped or attached to the exterior and interior surfaces and contents of the building (i.e., doors, ceilings, windows, railings, walls, furniture, etc.)
16. All items brought onto the building must be removed by the organization before leaving the premises. Organizations will be charged at the rate of \$50 per bag for uncollected garbage.
17. A non-refundable deposit of \$100.00 is required with booking.
18. A late fee of \$25 per week will be charged for payments received after the event date specified, unless otherwise arranged in advance.

Mrs. Tsukamoto moved adoption of the Resolutions listed on the Consent Agenda. Mr. Conley seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Conley seconded by Mrs. Tsukamoto 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.

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Public Safety	\$8,170.25
Health & Public Assistance	1,818.39
Public Works & Engineering	127,398.29
Community Affairs	5,567.63
Finance & Borough Clerk	48,593.08
Utilities	<u>1,204,063.55</u>
Total	<u>\$1,395,611.19</u>

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

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk