

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

January 28, 2019 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 28th day of January, 2019. Mayor Conley 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 10, 2019. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale

Astri J. Baillie

Patrick W. Rowe

Maureen Byrne

John F. Hoover

Debra J. Coen

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Rowe moved:

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

MINUTES FOR APPROVAL (1)

January 14, 2018

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

CONTRACT MATTERS (2)

JACOB HENRY PERKINS TRUST FUND

RADIO, TELEPHONE, DISPATCH UPGRADES

Regular Meeting Minutes – January 28, 2019

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

PERSONNEL MATTERS (2)
FIRE DEPARTMENT
DEPUTY BOROUGH CLERK

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

ATTORNEY/CLIENT MATTERS (2)
COUNCIL CONCERNS
AFFORDABLE HOUSING UPDATE

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

Seconded: Mrs. Vitale
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8:12 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Reorganization Meeting Minutes of January 2, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz,
Mr. Rowe, Ms. Byrne, Mr. Hoover
Nays: None

Ms. Baillie moved approval of the **Executive Minutes of January 14, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz,
Mr. Rowe, Ms. Byrne, Mr. Hoover
Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of January 14, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

GREETINGS TO PUBLIC

Mayor Conley presented a proclamation for Radon Action Month, January 2019 to Madison Health Officer Mike Fitzpatrick.

*Proclamation
of the
Borough of Madison
Proclaiming
Radon Action Month
January 2019*

WHEREAS, elevated radon gas within homes has been identified as a significant Public Health concern; and

WHEREAS, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer, causing as many as 500 lung cancer deaths annually in New Jersey; and

WHEREAS, elevated radon levels are found in one in fifteen homes across the United States and pose a serious health threat to families residing in these homes; and

WHEREAS, any home may have high levels of radon, even if neighboring homes do not; and

WHEREAS, radon testing is easy and inexpensive, and elevated levels of radon can be effectively reduced at the cost of a typical home repair; and

WHEREAS, a significant number of homes in Madison are likely to have elevated levels of radon; and

WHEREAS, if all New Jersey homes with radon concentrations at or above 4 pCi/L were mitigated, about 83 lives could be saved this year.

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim the month of January 2019 as **Radon Action Month** and call upon all residents to test their homes for radon and to reduce radon levels if elevated levels are found to protect their families from the serious health risk of radon.

Robert H. Conley, Mayor
January 28, 2019

Mayor Conley announced that Madison PBA collected donations for gift cards to be used to help buy groceries for Pat Brown. Pat, a former Madison Police employee and the son of Russ Brown, works for the United States Coast Guard and is not receiving a paycheck due to the recent government shutdown. As of Friday afternoon, \$1,150.00 in gift cards have been mailed to Pat Brown.

REPORTS OF COMMITTEES

Public Safety

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

Regular Meeting Minutes – January 28, 2019

Ms. Baillie reported that the Borough has been awarded Morris County Open Space funds in the amount of \$130,000 for a handicap accessible trail at the MRC and that completion of the trails should take about one year. The Madison Police Department received a \$3,320.96 grant for the yearly replacement of expired body armor for our officers. Body armor has a “shelf life” of 5 years and should be replaced when it hits its 5 year anniversary. The armor will slowly lose some of its protective qualities over time.

Finance and Borough Clerk

Mrs. Vitale, Chair of the Committee, made the following comments: Last Wednesday the CFO submitted an amended debt statement to the State. Madison maintains a AAA rating and tonight’s budget presentation will include information regarding the Water and Electric Utilities, with both performing well in 2018. Mrs. Vitale noted that the Water utility is maintained by three employees. Department Heads will present their proposed 2019 budgets at the February 25th Council meeting.

Utilities

Mr. Rowe, Chair of the Committee, made the following comments: The Electric Department had a “no power” call at the Madison Mall Apartments. A wire was broken due to wind. Power was restored within 25 minutes. The department set a pole at the back of Belleau Avenue for a fiber line behind the water well on North Street. For the Water Department, samples on regulated contaminants were taken for State mandated testing for total coliform, E coli, volatile organic compounds. Fire and domestic water lines have been energized to the 4 Giralda Farms (Atlantic Health) building. Report of no water at 3 addresses turned out to be frozen pipes inside the homes. Icing condition on East Lane became a hazard due to unauthorized use of a fire hydrant. The hydrant was not fully shut off. We remind all residents that fire hydrants are for official use only. Report of a water main leak at 8 Brittan St. was found to be the residence’s sump pump pumping water on the sidewalk and curb line and then freezing and thirteen meter installations, meter head or outside registers were installed, and frozen meters replaced. Installing radio transmitters for remote water meter reading for outside registers, meter replacements and new construction meter installations continues.

Public Works and Engineering

Ms. Byrne, Chair of the Committee, made the following comments: The 2019 Road Improvement projects anticipate advertisement in February, contractor awards by May, and construction during the summer months. An informal public meeting will be held to provide the opportunity for individual public inputs, tentatively scheduled for February 11th at 6:00 p.m. General Contractor JoMed Construction attended a preconstruction meeting on January 22nd for the Greenwood Avenue North water main replacement. The general contractor will begin sawcutting the road for the new water main next month and continue work until completion. The Public Works Department is planning a second annual Town Swap for Saturday May 11th and continues work on all Borough vehicles, snow plows, etc. Maintenance of the ice skating pond also continues.

Community Affairs

Mr. Hoover, Chair of the Committee, made the following comments: Mr. Hoover noted that the Senior Advisory Committee met and selected a Chair and Vice Chair for 2019, reviewed programs with the Senior Citizen Director, noting the overall goal is to engage Madison seniors. The new color newsletter is available and includes programs such as Pickelball, and programs to handle stress with diet and

Regular Meeting Minutes – January 28, 2019

exercise. Tax preparation will also begin this Wednesday, as well as Medicare Counseling. The Downtown Development Commission held their reorganization meeting and discussed upcoming programs including a branding campaign, the annual 'Taste of Madison' to be held March 18th and a new event, the 'Rose City Summer Festival' will be held in June. The Chamber of Commerce will hold a Camp Fair at the Community Arts Center, on March 24th. The Chamber is working on a new Madison map including parking. The current renovations at the Museum of Early Trades & Crafts should be completed in a few weeks and the Recreation Advisory Committee discussed membership criteria and the status of each sport represented.

Health

Ms. Coen, Chair of the Committee, made the following comments:
For Radon awareness month, free radon testing kits are available at the Madison Health Department 28 Walnut Street while supplies last. Lead test kits will also be made available to residents free of charge. Dog and cat owners are urged to renew their pet's license(s) by Friday February 1st. A \$10 late fee is assessed beginning February 2nd. The Public Health Nurse notes high levels of flu have been reported throughout Morris County and surrounding counties, and reminds residents that vaccines are still available. The Health Department has scheduled health screenings for residents. Blood Analysis will be held in March and Men's and Women's screenings will be held in May. Please call the Health Department for more information and look for details on Rosenet in the coming weeks.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Letter dated January 25, 2019 from Mr. Saverio Allocco of Belleau Avenue regarding Affordable Housing.

INVITATION FOR DISCUSSION (1 of 2)

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

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

AGENDA DISCUSSIONS

01/28/2019-1 2019 BUDGET DISCUSSION

Mr. Burnet provided information on the 2019 municipal budget process noting performance of the utilities, the Joint Meeting, Capital budget discussions, department budgets, and increasing cost in electric transmission. Mr. Burnet explained three funds, current, electric utility and water utility funds, noting the budget is actually a spending plan. Upcoming discussion will include capital spending taxes and electric utility surplus. All budget presentation can be viewed on the Borough's website.

Regular Meeting Minutes – January 28, 2019

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 January 14, 2019, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

**ORDINANCE 1-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$1,068,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND
FOR THE 2019 ROAD RECONSTRUCTION PROJECTS, RELATED
WORK AND MISCELLANEOUS PROJECTS**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$1,068,000.00 from the General Capital Improvement Fund for 2019 Road Reconstruction Projects, including new pavement, traffic calming and pedestrian sidewalk ramp improvements, related work and miscellaneous projects throughout the Borough; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$1,068,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$1,068,000.00 from the General Capital Improvement Fund for the 2019 Road Reconstruction Projects, related work and miscellaneous projects throughout the Borough.

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 \$1,068,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2019 Road Reconstruction Projects, related work and miscellaneous projects throughout the Borough.

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 Conley opened up the public hearing on Ordinance 1-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 1-2019, which was read by title, be finally adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Regular Meeting Minutes – January 28, 2019

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

Mayor Conley declared Ordinance 1-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 2-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$880,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
2019 MILLING AND OVERLAY PROJECTS**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$880,000.00 from the General Capital Improvement Fund for 2019 Milling and Overlay projects, including mill, overlay, signage, striping, curb, sidewalk and crack sealing improvements, related work and miscellaneous projects throughout town; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$880,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$880,000.00 from the General Capital Improvement Fund for the 2019 Milling and Overlay projects, signage, striping, curb, sidewalk and crack sealing improvements, related work and miscellaneous projects throughout town.

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 \$880,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2019 Milling and Overlay projects, signage, striping, curb, sidewalk and crack sealing improvements, related work and miscellaneous projects throughout town.

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 Conley opened up the public hearing on Ordinance 2-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 2-2019, which was read by title, be finally adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Regular Meeting Minutes – January 28, 2019

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

Mayor Conley declared Ordinance 2-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 3-2019
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
195-12A OF THE BOROUGH CODE ENTITLED “LAND USE”
REGARDING TEMPORARY SIGN PERMIT TO ESTABLISH FEES**

WHEREAS, the Director of Business Development has recommended amendments to the Borough Code to amend certain fees for temporary sign permits.

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: Chapter 195-12A of the Code of the Borough of Madison, entitled “Fees” is hereby amended as follows to establish certain fees for temporary sign permits:

...	Type of Fee	Fee
	Refacing of Previously Approved Signage (Within 36 Months) \$25.00	
	Additional Signage to Previously Approved Application \$25.00 (Within 36 Months)	
	Temporary signage – banner and signs Permit \$ 25.00	
	

SECTION 2: This ordinance shall take effect immediately and upon final passage and publication as required by law.

Mayor Conley opened up the public hearing on Ordinance 3-2019. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 3-2019, which was read by title, be finally adopted. Ms. Coen seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Regular Meeting Minutes – January 28, 2019

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

Mayor Conley declared Ordinance 3-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

INVITATION FOR DISCUSSION (2 of 2)

Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an 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.

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 February 11, 2019 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 ordinance will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

Mayor Conley called up Ordinance 4-2019 for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 4-2019 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$100,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR SIGNALIZATION IMPROVEMENTS

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$100,000.00 from the Electric Capital Improvement Fund for signalization repairs and improvements; and

WHEREAS, funds are available in the Electric Capital Improvement Fund or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer pending approval of the 2019 budget; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$100,000.00 from the Electric Capital Improvement Fund for signalization repairs and improvements.

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

Regular Meeting Minutes – January 28, 2019

SECTION 1: The amount of \$100,000.00 is hereby appropriated from the Electric Capital Improvement Fund for signalization repairs and improvements.

SECTION 40: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Ms. Byrne moved that Ordinance 4-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
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.

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

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

**R 61-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING
JACOB HENRY PERKINS TRUST DISBURSEMENT**

WHEREAS, the Borough Administrator recommends ratification of a grant from the Jacob Henry Perkins Trust (hereafter Perkins Trust) to Mr. & Mrs. M.V., Borough residents; and

WHEREAS, the Borough Administrator has advised the Borough Council that Mr. & Mrs. M.V. meet the criteria for a Perkins Trust grant; and

WHEREAS, the Borough Council has determined to ratify a Perkins Trust grant in the amount of \$5,000.00, as an interest free loan due to the federal government shutdown.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a \$5,000.00 grant is hereby approved and ratified from the Perkins Trust to Mr. & Mrs. M.V. Said

Regular Meeting Minutes – January 28, 2019

payment to be as an interest free loan to be repaid in a lump sum or in equal installments over a six-month period when the federal government reopens.

R 62-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JONATHAN JOSEPH GRANT AS AUXILIARY POLICE OFFICER FOR THE BOROUGH OF MADISON

WHEREAS, the Chief of Police has recommended that Jonathan Joseph Grant be appointed as Auxiliary Police Officer; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Jonathan Joseph Grant is appointed as Auxiliary Police Officer, effective immediately.

R 63-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING GIANNA SALVATORE TO THE POSITION OF PER DIEM DISPATCHER

WHEREAS, the Chief of the Madison Police Department recommends the appointment of Gianna Salvatore to the position of Per Diem Dispatcher; 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 Gianna Salvatore is hereby appointed to the position of Per Diem Dispatcher effective immediately; and

BE IT FURTHER RESOLVED, that Gianna Salvatore be compensated at the rate of \$22.50 per hour.

R 64-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF BERKELEY HEIGHTS, BOROUGH OF MOUNTAIN LAKES AND THE CITY OF SUMMIT TO PROVIDE INFORMATION TECHNOLOGY SERVICES

WHEREAS, the Borough of Madison wish to renew Shared Services agreements for the provision of Information Technology Support Services, wherein Madison provides the IT Support Services, subject to existing work load obligations, not to exceed twenty (20) hours per month, nor 250 hours annually, at an hourly rate of \$81.60 to Township of Berkeley Heights, Borough of Mountain Lakes and the City of Summit; and

WHEREAS, the Madison Borough Council has determined to renew said shared services agreements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and

Regular Meeting Minutes – January 28, 2019

Borough Clerk are authorized to enter into a Shared Services agreement with the Township of Berkeley Heights, Borough of Mountain Lakes and the City of Summit for the provision of Information Technology Support Services, such agreements to be in a form approved by the Madison Borough Attorney.

R 65-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A LETTER FROM THE GOVERNING BODY STATING THERE IS NO OBJECTION TO THE ISSUANCE OF A TEMPORARY HELISTOP LICENSE FOR THE 'EVERY FIFTEEN MINUTES' PROGRAM AT THE MADISON HIGH SCHOOL

WHEREAS, the Madison Police Department hosts the "Every Fifteen Minutes" program at Madison High School; and

WHEREAS, to participate in the program, Atlantic Health requires a flight application for the issuance of a temporary helistop license to land a helicopter on the fields at the Madison High School; and

WHEREAS, the Borough Council and the Chief of Police have concluded that there is no objection to the issuance of a temporary helistop license on March 25, 2019 for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Mayor and the Borough Clerk are authorized to sign a letter stating there is no objection to the issuance of a temporary helistop license for the "Every Fifteen Minutes" program to be held on March 25, 2019.

R 66-2019 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE MADISON ENVIRONMENTAL COMMISSION GREEN VISION FORUM

WHEREAS, the Madison Environmental Commission wishes to hold a Green Vision Forum at Drew University on Thursday, March 14, 2019 to facilitate a dialogue on sustainability and green practices with community members and Borough representatives; and

WHEREAS, a Green Vision Forum, consisting of a panel of active youth from Madison schools as well as students from Drew University, and Borough employees will address issues on green activities in the schools and in the community.

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 of Madison supports the Madison Environmental Commission's Green Vision Forum.

Regular Meeting Minutes – January 28, 2019

R 67-2019 RESOLUTION OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$4,770,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE BOROUGH OF MADISON IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK CONSTRUCTION FINANCING LOAN PROGRAM

WHEREAS, the Borough of Madison, in the County of Morris, New Jersey (the “Local Unit”), jointly operates a sanitary sewerage treatment system with the Borough of Chatham, in the County of Morris, New Jersey, as members of the Madison-Chatham Joint Meeting and has determined that there exists a need within the Local Unit to acquire, construct, renovate or install a certain project which consists of the improvement of the Madison-Chatham Joint Meeting's Molitor Water Pollution Control Facility (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “Environmental Infrastructure Financing Program”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the Environmental Infrastructure Financing Program, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Construction Financing Loan Program of the I-Bank (the “Construction Financing Loan Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Loan Program, it is the desire of the Local Unit to issue and sell to the I-Bank its “Note Relating to the Construction Financing Loan Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$4,770,000 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9 allow for the sale of the Note to the I-Bank, without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Regular Meeting Minutes – January 28, 2019

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note (and any renewals thereof) in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by a bond ordinance of the Local Unit, finally adopted on November 26, 2018, and entitled: “BOND ORDINANCE TO AUTHORIZE THE FUNDING OF A PORTION OF THE COST OF THE IMPROVEMENT OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY BY AND FOR THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,770,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the aggregate principal amount of the Note to be issued shall be an amount up to \$4,770,000;
- (b) the maturity of the Note shall be as determined by the I-Bank, and the Note may be renewed from time to time as may be determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “CFP-19-1”;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or

Regular Meeting Minutes – January 28, 2019

reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of Rogut McCarthy LLC is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Loan Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Loan Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Loan Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Rogut McCarthy LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

R 68-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERNS ADRIAN MORALES AND JAMES DATTILO AS PART-TIME INTERNS IN THE FINANCE AND ELECTRIC UTILITY DEPARTMENTS

WHEREAS, the Borough Administrator has recommended the appointment of Adrian Morales and James Dattilo, as part-time Interns in the Finance and Electric Utility Departments; 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 Adrian Morales and James Dattilo, as part-time Interns in the Finance and Electric

Regular Meeting Minutes – January 28, 2019

Utility Departments, at the hourly rate of \$14.00 is hereby approved, without benefits.

R 69-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF MEMORIAL PARK BY PATRIOTS PACK BOY SCOUTS OF AMERICA PACK 124 FOR AN OVERNIGHT CAMPING EVENT ON JUNE 1ST AND 2ND, 2019

WHEREAS, the Patriots' Pack 124 of Madison has requested permission to use public property Saturday, June 1st and 2nd, 2019, for an overnight camping event; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; and

WHEREAS, the Patriots' Pack 124 has submitted a Special Event Permit Application to the Borough and will provide a Certificate of Liability Insurance naming the Borough of Madison as an additional insured; 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 Patriots' Pack 124 of Madison is hereby given permission to use Memorial Park, June 1st and 2nd, 2019, for an overnight camping event, subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 70-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE AWARD OF CERTAIN NON-FAIR AND OPEN CONTRACTS FOR THE JOINT MUNICIPAL COURT OF MADISON, THE CHATHAMS, HARDING TOWNSHIP AND MORRIS TOWNSHIP

WHEREAS, the Joint Municipal Court of Madison, the Chathams, Harding Township and Morris Township has a need to obtain the following Professional Services as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator of the Borough of Madison has determined that the value of certain Professional Services listed herein may exceed \$17,500; and

WHEREAS, the Joint Court Committee of the Joint Municipal Court of Madison, the Chathams, Harding Township and Morris Township approved the appointment of each listed professional at their regularly scheduled meeting held January 23, 2019; and

Regular Meeting Minutes – January 28, 2019

WHEREAS, each Professional Services provider has completed and submitted a Business Entity Disclosure Certification where required by N.J.S.A. 19:44A-1, et seq., which certifies that said provider has not made any reportable contributions to a political or candidate committee in the Borough of Madison, County of Morris, State of New Jersey in the previous year, and that the contract will prohibit said Professional Services provider from making any reportable contributions through the term of the contract, and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified as to the availability to cover the maximum dollar value of each pending contract as set forth in this Resolution; and

WHEREAS, this Resolution and Certification of funds does not obligate the Borough to spend the maximum for each contract.

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

1. The Mayor is hereby authorized to execute contracts for each of the professional services listed herein, the cost of each such professional service agreement not to exceed the amount certified by the Chief Financial Officer.

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

3. The resolution and contracts are on file and available for public inspection in the office of the Municipal Clerk during regular business hours Monday through Friday.

BE IT FURTHER RESOLVED that each Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.

Regular Meeting Minutes – January 28, 2019

Prosecutor	Maryann O'Donnell McCoy. Esq.	\$450/per session not to exceed \$30,000
Prosecutor	Mason Thompson, LLC	\$450/per session not to exceed \$16,500
Prosecutor	DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.	\$450/per session not to exceed \$10,000
Public Defender	Marshal L. Gates, Esq.	\$85/hr not to exceed \$11,000
Public Defender	Robert A. Warmington, Esq.	\$85/hr not to exceed \$13,000

R 71-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO TOREY J. SABATINI 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 TOREY J. SABATINI SCHOOL
I.D. No. 274-5-33160
R.A. No. 1471–Off Premise 50/50
March 9, 2019

R 72-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY OWNER'S LICENSE FOR MADISON LIMOUSINE SERVICE FOR 2019

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owner's License renewal be approved for the year 2019.

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicles</u>
2019-1	Madison Limousine Service	5 Liveries
2019-2	340 Main Street, Madison	
2019-3		
2019-4		
2019-5		

R 73-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL APPLICATION FOR LIVERY OWNERS LICENSE FOR TRAVELERS TAXI & LIMOUSINE LLC FOR 2019

Regular Meeting Minutes – January 28, 2019

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owners License application be approved for the year 2019:

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicle</u>
2019-6L	John J. Patrisco, Jr. Travelers Taxi & Limousine LLC 31 Kings Road, Madison, NJ	1 Livery

R 74-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING REDUCTION OF RESTORATION BOND TO 9-19 GREENWOOD AVENUE/122 MAIN STREET, ON BLOCK 1803, LOTS 11 & 12

WHEREAS, the Assistant Borough Engineer has recommended that the Restoration Bond for 9-19 Greenwood Avenue/122 Main Street in the amount of \$58,598.58 be reduced to \$5,033.88, in connection with site improvements completed at 9-19 Greenwood Avenue/122 Main Street, Block 1803, Lots 11 & 12; and

WHEREAS, the Assistant Borough Engineer advises that compliance with approved site plans has been completed.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Restoration Bond described herein be reduced and released to 9-19 Greenwood avenue/122 Main Street.

R 75-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A CONTRACT WITH KYLE + MCMANUS ASSOCIATES FOR PROFESSIONAL SERVICES REGARDING AFFORDABLE HOUSING

WHEREAS, the Borough Administrator has recommended execution of a professional services contract with Kyle + McManus Associates, be made regarding professional planning services for Affordable Housing issues pursuant to a written proposal from Kyle + McManus Associates with Ms. Beth McManus assigned to said project; and

WHEREAS, such 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(1)(a); and

WHEREAS, Kyle + McManus Associates, has submitted 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

Regular Meeting Minutes – January 28, 2019

WHEREAS, funds are available in the Affordable Housing Trust Fund, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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 Mayor and Borough Clerk are authorized to execute on behalf of the Borough a professional services contract with Kyle + McManus Associates (Beth McManus), for professional planning services for Affordable Housing issues, in an amount not to exceed \$142.00/hour in a form acceptable to the Borough Attorney.

2. This contract is expressly contingent upon Ms. Beth McManus testifying to her work product, if required, in any appropriate judicial forum as an additional professional service billed at her hourly rate.

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.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Ms. Baillie, seconded by Mrs. Vitale 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.

Current Fund	\$4,072,351.02
General Capital Fund	111,462.95
Electric Operating Fund	913,697.01
Electric Capital Fund	37,589.76
Water Operating Fund	78,290.71
Water Capital Fund	0.00
Trusts	<u>67,287.16</u>
Total	<u>\$5,280,678.61</u>

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

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

NEW BUSINESS

Mayor Conley announce the following appointment and requested Council confirmation:

Regular Meeting Minutes – January 28, 2019

SENIOR CITIZEN ADVISORY COMMITTEE

Phyllis Flemming, 54 Noe Avenue, *At Large Member*, for an annual term through December 31, 2019.

Mr. Rowe moved approval of the foregoing appointment, seconded by Ms. Byrne and passed by the following vote:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved February 25, 2019 (EO)