

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

February 13, 2023 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 13th day of February, 2023. Mayor Conley called the meeting to order at 7:00 p.m., in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by 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 12, 2023. 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:

John F. Hoover

Rachel F. Ehrlich

Robert Landrigan

Eric Range

Thomas Haralampoudis

Absent: Debra J. Coen, excused

Also Present:

James E. Burnet, Assistant Borough Administrator/CFO

Marina Stinely, Esq. for Matthew J. Giacobbe, Esq., Borough Attorney

Elizabeth Osborne, Borough Clerk

Absent: Raymond M. Codey, Borough Administrator, excused

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Hoover moved:

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

MINUTES FOR APPROVAL (1)

January 23, 2022

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

CONTRACT MATTERS (1)

LABOR NEGOTIATIONS UPDATE

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

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LITIGATION MATTERS (1)
DREW UNIVERSITY

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

Seconded: Ms. Coen
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all. Mayor Conley asked for a moment of silence honoring the passing of Madison residents Vincent A. Licari, Kathleen Ann Moran and William F. Deluca.

APPROVAL OF MINUTES

Mr. Range moved approval of the **Reorganization Meeting Minutes of January 6, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

Mr. Range moved approval of the **Executive Minutes of January 23, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

Mr. Range moved approval of the **Regular Meeting Minutes of January 23, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:
Mayor Conley noted that the last meeting of the Council held January 27th, was not the most respectful and that he and Council will strive for more respectful and positive meetings. Mayor Conley noted the reproduction of the Lincoln portrait now hanging in the Council Chamber.

EMPLOYEE OF THE MONTH FOR FEBRUARY

SRO Thomas Downs, Police Department, for his efforts to help solve a criminal mischief incident, and his ability to build relationships with students and teachers.

Mayor Conley presented Kenisha Tucker with the following proclamation honoring Black History Month:

Proclamation
of the
Borough of Madison
Proclaiming
BLACK HISTORY MONTH
February 2023

WHEREAS, each February Black history Month celebrates the contributions African Americans have made to American history in their struggles for freedom and equality and deepens our understanding of our Nation's history; and

WHEREAS, every February since 1926, African American History has been celebrated in America. That year historian Dr. Carter G. Woodson, who dedicated his life to educating

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African Americans about the achievements and contributions of their ancestors, created Negro History Week. He chose February because the month contained the birthdays of both Abraham Lincoln and Frederick Douglass, two prominent men whose historic achievements African Americans already celebrated; and

WHEREAS, in 1976, President Ford expanded this commemoration of black history in the United States to Black History Month saying the celebration enabled people to “seize the opportunity to honor the too-often neglected accomplishments of Black Americans in every area of endeavor throughout our history”; and

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual and political development; and

WHEREAS, these accomplishments are the more remarkable for having been won at the cost of great struggle and sacrifice by men and women who came to these shores in chains, and by their descendants; and

WHEREAS, this is a time to also reflect on the centuries of oppression including slavery, which was not limited to southern states but here in New Jersey and throughout the north; and

WHEREAS, this year’s Black History Month theme is “Black Resistance” and explores how African Americans have resisted historic and ongoing oppression in all forms; and

WHEREAS, in his last proclamation honoring Black History Month, Former President Barack Obama proclaimed, “Every American can draw strength from the story of hard-won progress, which not only defines the African-American experience, but also lies at the heart of our Nation as a whole.”

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim February 2023 as **Black History Month** and ask all to remember the impact African Americans have had on our country while we also commit to a racially just future.

Robert H. Conley, Mayor
February 13, 2023

REPORTS OF COMMITTEES

Community Affairs

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

The Downtown Development Commission will hold its next meeting on Thursday, February 16th at 7:15 pm in the Hartley Dodge Memorial Building, Committee Room, 2nd Floor. The public is invited to attend. The DDC Standing Committee will be meeting in the next two weeks to establishing goals for 2023. Plans are underway to reimagine May Day for 2023 and into the future. The plans include a name change as well. The plan will be finalized before the council meeting on February 27, 2023. The Madison Area Chamber of Commerce invites families to participate in a new scavenger hunt in the business district. The Hearts & Roses Scavenger Hunt begins Friday, February 10, and will continue through Friday, March 10. This is a free,

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month-long, fun family activity. Pick up a participation card at the Madison Pharmacy, The Pink Pear, or Sugar Rush. The 2023 Taste of Madison is scheduled for Monday, April 24, at Brooklake Country Club. Tickets are available for pre-purchase at Gary's Wine & Marketplace or GarysWine.com. The Madison Community Arts Center is gearing up for the 2023 calendar. There are only 35 days when there are no scheduled events. Over the holidays a movie screen was installed, and plans are being made to set up a family film series and a foreign film series. Currently, on the walls at the center are paintings by Maria Lupo, which will be on display until February 26. This will be followed by a show entitled Don't Close Your Eyes: Ukrainian Artists Respond to the War, a series of drawings and paintings by artists living in the Ukraine.

Finance and Borough Clerk

Ms. Coen, Chair of the Committee, absent.

Public Works and Engineering

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

Ms. Ehrlich reporting for Finance, noted the 2023 budgeting process, with tonight's presentation from CFO/Asst. Administrator Jim Burnet providing a draft proposed budget. Voting on the municipal budget is one of the most important tasks of the Borough Council. Department Heads will present their proposed budgets at the February 27th meeting of the Council and introduction is scheduled for March 27th. A hearing is scheduled for four weeks later at the April 24th Council meeting. Sara Murphy, finance administrative assistant has passed the tax collectors exam. For the Engineering Department Ms. Ehrlich reported a bid opening for the trail construction at Memorial Park was held January 26th. Award recommendations have been provided, contingent upon a minor amendment of the funding ordinance. Well B Renovations (Station Rd) were advertised Jan 20th and a public bid opening is scheduled for March 2nd at 10:00 a.m. The bid documents for the community development funded sewer lining projects were also advertised and a public bid opening is anticipated March 28th at 11:00 a.m. The MRC Basketball Pickleball Court project plans are under review and advertising is anticipated later this month. Review of the Cook Avenue parking area project plans is also under way. Color renderings and perspective views of Waverly Place as well as stakeholder meetings are anticipated within the month. The Memorial Park Footbridge Repairs project will start demolition work and re-construction this month. MRC Solar Carport bid documents are being prepared by Talva Energy. The Department of Public Works reports replacement of the roof on the field house at Dodge Field. Resident are encouraged to report pot holes through the SeeClickFix portal on the Borough's website.

Utilities

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

The Water Department responded to a call of a motor vehicle accident with fire hydrant at the corner of Main Street and Rosedale Avenue. The hydrant was of the "safety breakaway type", which causes less damage to the vehicle and fire hydrant. The hydrant was repaired with a standard breakaway kit and was back in service within hours of the accident. The curb box valve at 42 Lorraine Road was excavated and repaired to allow the department to shut the water off at the curb. Contractors were then able to perform necessary plumbing repairs within the residence. The Electric Department Stand-by crews responded to wires down across the road on Rosewood Drive, James Park Substation transformer malfunction alarm and an emergency mark-out at Glendale Road and Fairwood Road to locate and repair a gas leak. For the past two weeks, the Department has been working at the

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intersection of Ridgedale Avenue and Cook Avenue, replacing poles and transferring equipment.

Public Safety

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

Madison Police personnel met with Madison Public Schools faculty and staff for ongoing security meetings. These meetings include police department command staff and school administration to discuss improvements to school security. The meeting, held this past week at Madison High School, included discussing a NJ State grant that was awarded to Madison Public Schools to implement a school mapping system, to assist public safety personnel when responding to a school for an emergency and easily identifying interior rooms/hallways. During the past two weeks, Madison Police Department- Community Relations Unit- held several tours of our HQ for various Girl Scout groups. The tours consisted of girls between 3rd and 6th grades along with den mothers. The tours included the interior of the Police Department, as well as vehicles and apparatus. To request a tour, please call Corporal Stephanie Aquino of our Community Relations Unit. The Fire Department reports that the ladder truck is now back in service and a “wet down” event to celebrate the arrival of Engine 3 is scheduled for Saturday, June 10, 2023.

Health

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

The Madison Health department will hold an animal census, going door to door to identify animals in the Borough. Vaccines are still available through the Health Department including COVID-19 and Influenza vaccines. The Health Department is holding Blood Pressure Screening Clinics on the last Friday of each month. No appointment is necessary. Test kits for the COVID -19 virus are available at the Health Department.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated January 24, 2023 from Daniel La Magna of Niles Avenue, noting he was ashamed and embarrassed at what was allowed at the last Council meeting held January 23, 2023.

Email dated January 26, 2023, from Tricia Coyle of Stafford Drive, expressing appreciation for all that the Mayor and Council do for the Borough.

Email dated February 2, 2023 from Ann Marchioni, President of the Caldwell Environmental Commission, thanking the Mayor and Council for their efforts to save the Drew Forest.

Valentine’s Day Greetings were received February 13, 2023 from the Friends of the Drew Forest.

INVITATION FOR COMMENT (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 Meeting Moderator, each person give his/her name and address in an audible tone of voice, for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

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Bruce Esrig; Bedford Court, suggested finding smaller more relatable things, related to each resident when discussing climate change.

Chris DeVivio; asked for more debate regarding climate change goals, and suggested clean choices for charging electric vehicles.

Yana Kane-Esrig; Bedford Court, pleased to hear the Climate Action report, and noted that what Madison does is noticed by other communities.

Suzanne Schreiber; Greenwich Ct., raised concerns regarding the climate action plans, asking to slow down the process.

Christine Clark; Lake Hopatcong, noted several recent storms, and a rise in the number of asthma cases. Ms. Clark stated she was grateful for Madison’s efforts.

Claire Whitcomb; Fairwood Road, offered support for the Climate Action Plan, noting she admires the approach in the municipal budget.

Chris Schorr; Shadylawn Drive, noted her admiration for the approach to the climate action goals that include public involvement and a style of fiscal responsibility.

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

AGENDA DISCUSSIONS

02/13/2023-1 2023 CLIMATE ACTION RECOMMENDATIONS

Ms. Ehrlich presented the 2023 Climate Action recommendations, noting goals are derived from the New Jersey energy and resiliency goals. There are nine recommendations organized by five objectives. Objectives are alternative fuel vehicles for the municipal fleet, accelerate residential solar installations, tracking reliability as Madison’s electric grid evolves, implement a residential energy efficiency outreach campaign, and adopt a green building policy for new municipal and commercial construction projects. A resolution to adopting the climate action goals for 2023 is listed on the Consent Agenda.

Resolution 63-2023 is listed on the Consent Agenda.

02/23/2023-2 BUDGET HEARING – DRAFT BUDGET DISCUSSION/FUND BALANCE

Mr. Burnet provided Council with a budget presentation, and reviewed the budget schedule noting no change in services provided to residents and explained that employee costs are the largest portion of the municipal budget including pension and health insurance costs. The single biggest issue is that revenues are still off and appropriations have increased due to inflation, supply chain issues and other pressures. Because of this, capital projects have to be cut back. Department Heads will present budgets at the next Council meeting, February 27, 2023. Revenues are down by approximately \$1 million. Council will have decisions to make regarding the 5-year Capital plan, reserves for tax appeals, fund balance and in the near future collective bargaining agreements.

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ADVERTISED HEARINGS

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on January 27, 2023, 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 14-2023
ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$85,000.00 FROM THE GENERAL CAPITAL
IMPROVEMENT FUND TO PURCHASE OF A MASON DUMP
TRUCK AND ACCESSORIES FOR THE PUBLIC WORKS
DEPARTMENT**

WHEREAS, the Director of Public Works has recommended that the Borough appropriate \$85,000.00 from the General Capital Improvement Fund to purchase a dump truck and accessories for the Public Works Department; 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 \$85,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$85,000.00 from the General Capital Improvement Fund to purchase a dump truck and accessories for the Public Works Department; and

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

SECTION 1: The amount of \$85,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a dump truck and accessories for the Public Works Department.

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

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

Mayor Conley opened up the public hearing on Ordinance 14-2023. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 14-2023, 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:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

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Mayor Conley declared Ordinance 14-2023 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 COMMENT (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 Meeting Moderator, each person give his/her name and address in an audible tone of voice, for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Claire Whitcomb; Fairwood Road, offer Valentine's Day greeting card to the Mayor and Council land thanked them for their efforts to save the Drew Forest.

Bruce Esrig; Bedford Court, asked for more discussion regarding resilience ability to tolerate change, and climate action goals

Edward Grimes; East Hanover, raised opposition to the parking and front doors of the municipal building, noting that they are not ADA accessible, and shared his disappointment that the medicinal cannabis dispensary was not approve.

Mary Wilson; Sherwood Drive, asked the elected officials to consider switching political party, similar to the recent governing body in Hanover Township. Ms. Wilson also asked for smaller government, less taxes.

Kathy Dailey; West End Avenue, noted the climate action plan doesn't seem to have flexibility concerning cost.

Michael Martinez; Independence Court, asked that the Council consider a pedestrian crosswalk on Main Street at the Staples Plaza, and asked for additional funding for the police department.

Suzanne Schreiber; Greenwich Ct., inquired about tax appeal rates and asked that the Council consider waiting on the proposed solar carport, until the federal funding is confirmed.

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

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 February 27, 2023 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.

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

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ORDINANCE 15-2023 ORDINANCE OF THE BOROUGH OF MADISON
SUPPLEMENTING ARTICLE 195 OF THE BOROUGH CODE TO ESTABLISH A
MUNICIPAL RENTAL REHABILITATION PROGRAM

WHEREAS, the Borough of Madison and the Fair Share Housing Center previously executed a Settlement Agreement dated August 12, 2020; and

WHEREAS, the Borough acknowledged a Rehabilitation Obligation of twenty-one (21) units in said Settlement Agreement; and

WHEREAS, the Borough may satisfy that obligation through continued participation in the Morris County Rehabilitation Program, coordination with the Madison Housing Authority (MHA) and other public agencies for the rehabilitation of affordable housing units and by the creation herein of a Municipal Rental Rehabilitation Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Article 195 of the Borough Code is hereby supplemented to add a new section Article 195-50 entitled “Madison Municipal Rental Rehabilitation Program” to be implemented through the attached program guidelines as they may be amended and/or modified hereafter with funding to be allocated for this purpose from the Municipal Affordable Housing Trust Fund.

SECTION 1: See attached guidelines that may be amended and/or modified hereafter.

SECTION 2: If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3: In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Madison, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Borough of Madison are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4: After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Madison for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64.

SECTION 5: This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

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Mr. Hoover moved that Ordinance 15-2023, which the Borough Clerk read by title, be adopted. Ms. Ehrlich seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

ORDINANCE 16-2023 ORDINANCE OF THE BOROUGH OF MADISON
ADOPTING AN AMENDED REDEVELOPMENT PLAN IN ACCORDANCE WITH
N.J.S.A. 40A:12A-7

WHEREAS, on August 22, 2011, the Mayor and Council adopted Resolution No. 192-2011 which determined that the property located at 33 Green Village Road was an area in need of redevelopment as defined in N.J.S.A. 40A:12A-3(hereafter the “GVRS Redevelopment Area”); and

WHEREAS, pursuant to Ordinance 32-2011, the Mayor and Council adopted a plan for redevelopment of the GVRS Redevelopment Area (the “GVRS Redevelopment Plan”); and

WHEREAS, pursuant to Ordinance 58-2014 the Borough adopted an amendment to the GVRS Redevelopment Plan, which superseded the aforementioned plan adopted pursuant to Ordinance 32-2011 and Ordinance 38-2014; and

WHEREAS, the amendment to the Green Village Road Special Use Area Redevelopment Plan expands the permitted non-residential uses on the ground floor of the northern-most building fronting Kings Road in the sub-zone II to now allow administrative and professional offices and medical offices; and

WHEREAS, on February 7, 2023, the Madison Planning Board voted to recommend the attached amendment to the GVRS Redevelopment Plan (the “Amended GVRS Redevelopment Plan”)and directed its planner, Susan G. Blickstein, to transmit that plan to the Mayor and Council for adoption, pursuant to N.J.S.A. 40A:12A-7; and

WHEREAS, the proposed Amended GVRS Redevelopment Plan meets all of the requirements of N.J.S.A. 40A:12A-7; and

WHEREAS, the area governed by the Amended GVRS Redevelopment Plan is the same as defined in Resolution No. 192-2011.

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NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, that the Amended GVRS Redevelopment Plan prepared by Susan G. Blickstein, AICP/PP, PhD as amended and revised through February 2023 is hereby adopted and it shall replace and supersede the previous redevelopment plans adopted by Ordinance 32-2011, Ordinance 38-2014 and Ordinance 58-2014.

Mr. Hoover moved that Ordinance 16-2023, which the Borough Clerk read by title, be adopted. Mr. Range seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis
Nays: None
Absent: Ms. Coen

ORDINANCE 17-2023 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR THE MEMORIAL PARK TRAIL IMPROVEMENTS – PHASE I

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$40,000.00 from the General Capital Improvement Fund for the Memorial Park Trail Improvements – Phase 1 project; 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 \$40,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$40,000.00 from the General Capital Improvement Fund for the Memorial Park Trail Improvements – Phase 1 project.

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

SECTION 1: The amount of \$40,000.00 is hereby appropriated from the General Capital Improvement Fund for the Memorial Park Trail Improvements – Phase 1 project.

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

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

Mr. Hoover moved that Ordinance 17-2023, which the Borough Clerk read by title, be adopted. Mr. Range seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

ORDINANCE 18-2023 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$125,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR THE 2023 ACCESSIBLE PLAYGROUND PROJECT AT DODGE
FIELD

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$125,000.00 from the General Capital Improvement Fund for the 2023 Accessible Playground project at Dodge Field; 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 \$125,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$125,000.00 from the General Capital Improvement Fund for the 2023 Accessible Playground project at Dodge Field.

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 \$125,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2023 Accessible Playground project at Dodge Field.

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

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

Ms. Ehrlich moved that Ordinance 18-2023, 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: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

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.

Mr. Hoover moved adoption of the Resolutions listed on the Consent Agenda. Ms. Ehrlich seconded the motion. Mr. Haralampoudis abstained from voting on Resolution

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73-2023. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

R 63-2023 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING CLIMATE GOALS FOR 2023

WHEREAS, the Madison governing body previously authorized through Resolution 38-2022 a pilot program of the Climate Action Process for the Borough of Madison to support New Jersey state goals to combat climate change and strengthen our community against the impacts of climate change; and

WHEREAS, climate action is an organized response to climate change to reduce greenhouse gas emissions, which are the source of global heating and climate change, and to build resiliency to adapt to a changed climate; and

WHEREAS, the Climate Action Ad Hoc Committee was appointed consisting of dedicated resident volunteers with staff support from Borough Administration and Department Heads; and

WHEREAS, the Committee was charged with developing a framework for a recurring Climate Action Process to incorporate climate action in the Borough's planning and budgeting process; and,

WHEREAS, the Committee initiated, completed, and presented the 2022 Climate Action Report to the Council on January 23, 2023, setting forth long-term climate goals for Madison to adopt, forming a 30-year path to 2050 in line with statewide goals for energy and resiliency; and

WHEREAS, the climate goals should not be considered as hard and fast rules that cannot tolerate exceptions, but rather as firm but flexible and to be complied with over the long term with any material deviations publicly disclosed and explained as part of the budget process; and

WHEREAS, the Climate Action Process as set forth in the 2022 Climate Action Report is an annual measurement and reporting process to gauge progress and propose actions to meet climate goals; and

WHEREAS, through the Climate Action Process the governing body and Borough Administration will have an opportunity to examine progress towards climate goals, weigh the priorities for planning and investment, and decide on the most prudent course of action.

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 attached climate goals for energy and resiliency are adopted to align Madison with New Jersey state goals for greenhouse gas reduction and resiliency through climate adaptation.

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(2). The climate goals will be reviewed and revised or readopted at the reorganization meeting in January 2024 and future reorganization meetings thereafter.

(3). The recurring Climate Action Process will be implemented on an annual basis to report climate measurements, collaborate with involved parties to develop initiatives to meet Madison’s climate goals, and present recommended actions to the governing body for adoption prior to the upcoming year’s budget cycle.

A regular Climate Action Committee shall be formed to organize and conduct the work of the Climate Action Process.

R 64-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO ARCARI & IOVINO ARCHITECTS, PC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE INTERIOR RENOVATION TO THE MADISON PUBLIC LIBRARY IN AN AMOUNT NOT TO EXCEED \$210,000.00

WHEREAS, the Borough Engineer has recommended awarding a professional services contract for architectural and engineering services for the interior renovation at the Madison Public Library; and

WHEREAS, said services would 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 Engineer has recommended that the Borough Council award the contract to Arcari & Iovino Architects, PC in an amount not to exceed \$210,000.00; and

WHEREAS, Arcari & Iovino Architects, PC 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

WHEREAS, funds are available in Ordinance 4-2022 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 hereby authorized to execute, on behalf of the Borough, a professional service contract with Arcari & Iovino Architects, PC for design services architectural and engineering services for the interior renovation at the Madison Public Library in an amount not to exceed \$210,000.00, such contract to be in a form approved by the Borough Attorney.

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2. 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 65-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDDING CONTRACT TO TTI ENVIRONMENTAL, INC. OF MOORESTOWN, NEW JERSEY IN THE AMOUNT OF \$30,950.00 FOR THE MADISON PUBLIC LIBRARY INTERIOR RENOVATION ABATEMENT PROJECT

WHEREAS, the Madison Public Library solicited quotes for asbestos abatement for the interior renovation project, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the lowest qualified quoted was submitted by TTI Environmental, Inc. of Moorestown, New Jersey in the amount of \$30,950.00; and

WHEREAS, the Library Director has recommended that the Borough Council award a contract to TTI Environmental, Inc. of Moorestown, New Jersey in the amount of \$30,950.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$30,950.00 for this purpose in Ordinance 4-2022.

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 asbestos abatement at the Madison Public Library is hereby awarded to TTI Environmental, Inc. of Moorestown, New Jersey based upon its quote in the amount of \$30,950.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with TTI Environmental, Inc. of Moorestown, New Jersey in a form acceptable to the Borough Attorney.

R 66-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDDING BID FOR THE PURCHASE OF NEW UNUSED TRANSFORMERS TO UNITED STANDARD ELECTRIC, LLC

WHEREAS, the Borough of Madison publicly advertised for bids for the purchase of New unused transformers in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. on two occasions; and

WHEREAS, no bids were received on each occasion; and

WHEREAS, requests for quotes were sent to multiple vendors and United Standard Electric, LLC, provided the lowest and most advantageous proposal; and

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WHEREAS, the Qualified Purchasing Agent, Borough Electric Utility Superintendent and Borough Attorney have negotiated a contract after bids had been advertised and no bid received pursuant to N.J.S.A. 40A:11.5(3); and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$117,335.10 for this purpose in Ordinance 31-2020.

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 the purchase of new unused transformers is hereby awarded to United Standard Electric, LLC based upon its proposal in the amount of \$117,335.10.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with United Standard Electric, LLC, in a form acceptable to the Borough Attorney.

R 67-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE COUNTY OF MORRIS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR RELOCATION OF TRANSFORMER AT 15 CHATEAU THIERRY AVENUE

WHEREAS, the Madison Housing Authority has prepared a Community Development Block Grant application to the County of Morris in the amount of \$150,000.00 for relocation of the transformer at 15 Chateau Thierry Avenue and new drive access to the rear of their building at 15 Chateau Thierry Avenue, Madison, N.J.; and

WHEREAS, the Borough Administrator has recommended that the Council support this grant application by the Madison Housing Authority.

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 Madison Housing Authority is authorized to submit the grant application with the County of Morris for a Community Development Block Grant in the amount of \$150,000.00 to relocate of the transformer at 15 Chateau Thierry Avenue and install new drive access to the rear of the building, in a form approved by the Borough Attorney.

R 68-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF A FORD F-450 DUMP TRUCK AND ACCESSORIES FOR THE PUBLIC WORKS DEPARTMENT THROUGH THE NEW JERSEY COOPERATIVE PRICING SYSTEM

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WHEREAS, the Borough of Madison desires to award a contract for the purchase of a Ford F-450 dump truck and accessories through the New Jersey Cooperative Pricing System program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Nielsen Ford, has been awarded the New Jersey Cooperative Pricing System contract number A88214, Vehicles and Accessories; and

WHEREAS, the Qualified Purchasing Agent has recommended that the Borough Council utilize this contract for the purchase of a Public Works vehicle and accessories; and

WHEREAS, funds are available in Ordinance 14-2023, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee.

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. A contract with Nielsen Ford, Morristown, N.J. for the purchase of a Ford F-450 dump truck and accessories for the Public Works Department, in an amount not to exceed \$83,007.50 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Nielsen Ford, Morristown, N.J., for the purchase of a vehicle and accessories for the Public Works Department, in a form acceptable to the Borough Attorney.

R 69-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE CITY OF SUMMIT TO PROVIDE INFORMATION TECHNOLOGY SERVICES

WHEREAS, the Borough of Madison wishes to renew Shared Services agreements for the provision of Information Technology Support Services, wherein Madison provides IT Support Services, pursuant to the attached contracts with 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 Borough Clerk are authorized to enter into a Shared Services agreement with 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.

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R 70-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF COMPETITIVE CONTRACTING FOR THE PROCUREMENT OF PURCHASE POWER AGREEMENT FOR THE MADISON CHATHAM JOINT MEETING

WHEREAS, Madison-Chatham Joint Meeting (MCJM) is a Molitor Water Pollution Control Facility composed of the members of the governing bodies of the municipalities of the Borough of Madison and the Borough of Chatham; and

WHEREAS, the Madison Chatham Joint Meeting wishes to solicit proposals from a Solar Energy installation company and Power Purchase Agreement Provider to develop, install, own, and operate a solar array on their premises; and

WHEREAS, N.J.S.A. 40A:11-4.1(b)(m) permits competitive contracting to be utilized to procure consulting services that warrant a qualitative evaluation of specialized goods or service providers to determine the provider that is most advantageous, price and other factors considered; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires that in order to use competitive contracting for the first time for a specified purpose, the governing body shall pass a resolution authorizing the use of competitive contracting for such purpose; and

WHEREAS, N.J.S.A. 40A:11-4.3(b) requires that the competitive contracting process shall be administered by a designated Authorized Agent f who may be a purchasing agent pursuant to N.J.S.A. 40A:11-9, or by legal counsel of the contracting unit, or by the chief administrative officer of the contracting unit; and

WHEREAS, the Borough Council has determined that the procurement of a company for said purposes through the use of competitive contracting is in the best interest of the Madison Chatham Joint Meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Purchasing Agent for the Borough of Chatham is authorized to initiate competitive contracting for the solicitation of proposals for a Solar Energy installation company and Power Purchase Agreement Provider to develop, install, own, and operate a solar array on the Madison Chatham Joint Meeting property pursuant to N.J.S.A. 40A:11-4.1 et seq. The Borough of Chatham will also adopt a companion resolution supporting this action.

R 71-2023 GRANT AGREEMENT BETWEEN BOROUGH OF MADISON AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT IDENTIFIER: EVFC-2022-Borough of Madison

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WHEREAS, the governing body of Borough of Madison desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$200,000.00 to fund the following project:

It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program

NOW THEREFORE BE IT RESOLVED, that the Governing Body authorizes James Burnet or the successor of the office of Chief Financial Officer (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$200,000.00 and (c) to execute documents relative to the grant.

R 72-2023 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 61-2023 TO AWARD A CONTRACT TO NIELSEN FORD, FOR THE PURCHASE OF TWO (2) HYBRID POLICE VEHICLES AND ACCESSORY EQUIPMENT UNDER THE EDUCATIONAL SERVICES COMMISSION OF NJ ESC

WHEREAS, Resolution 61-2023 authorized a contract to be awarded to Nielsen Ford, of Morristown, NJ, for the purchase of two (2) hybrid police vehicles and accessory equipment from Nielsen Ford, under the Educational Services Commission of NJ ESC Co-Op #65MCESCCPS-ESCNJ 20/21-09; and

WHEREAS, Nielsen Ford is able to fulfill the order for an additional \$9,995.90; and

WHEREAS, the Qualified Purchasing Agent has recommended that Resolution 149-2022 be amended to allow for the purchase of two (2) hybrid police vehicles and accessory equipment from Nielsen Ford, at a total price not to exceed \$91,709.45; and

WHEREAS, the Mayor and Council have determined that Resolution 61-2023 should be amended, and the contract with Nielsen Ford 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 149-2022, awarding a contract to Nielsen Ford, under the Educational Services Commission of NJ ESC Co-Op #65MCESCCPS-ESCNJ 20/21-55 is hereby amended, to award a new contract for the purchase of two (2) hybrid police vehicles and accessory equipment from Nielsen Ford, at a total price not to exceed \$91,709.45.

R 73-2023 RESOLUTION OF THE BOROUGH OF MADISON IN SUPPORT OF LIQUOR LICENSE REFORM IN THE STATE OF NEW JERSEY

WHEREAS, the State of New Jersey's liquor license laws date back to the 1950s and 1960s; and

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WHEREAS, under current law, a municipality may issue plenary retail consumption licenses until the combined total number in the municipality is fewer than one license for each 3,000 municipal residents and this restriction creates a shortage of these licenses in some municipalities; and

WHEREAS, the State of New Jersey's liquor license laws has caused an extreme supply imbalance that the statewide average cost of an individual liquor license is \$300,000, an exorbitant amount causing an inequitable landscape among current and potential restaurateurs. This cost approaches \$1 million in Madison and our surrounding communities; and

WHEREAS, the restaurant liquor license standards of other states in the Northeast region enable restaurateurs to join the market at a significantly lower price point than the State of New Jersey, thus giving them a competitive advantage; and

WHEREAS, in today's market, small business and downtown economic development thrive best where there is a healthy full-service restaurant market; and

WHEREAS, there is clear need for reform as demonstrated by the numerous bills already introduced in the New Jersey Legislature each session with the intent to expand liquor licensure; and

WHEREAS, Governor Murphy affirmed his commitment to reform in his State of the State address on January 10, 2023 with a draft plan to make it more equitable to obtain a new liquor license while providing compensation to existing active license holders; and

WHEREAS, we recognize the need to compensate existing license holders that paid exorbitant prices for the right to sell liquor in their restaurants; and

WHEREAS, the State of New Jersey should be a leader in reform initiatives that helps its small businesses survive and thrive, provides an equitable business environment, and enables New Jersey to better compete in the regional market.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Madison that it supports meaningful liquor license reform legislation to create a more balanced liquor license market; and

BE IT FURTHER RESOLVED that the Clerk be and hereby is authorized to distribute copies of this Resolution to all appropriate officials and agencies including our Legislative Representatives, the Governor, the Lieutenant Governor, and the New Jersey State League of Municipalities.

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R 74-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MADISON FIRE DEPARTMENT TO HOLD A WET DOWN EVENT

WHEREAS, the Fire Chief has recommended that permission be granted for the Fire Department to hold a special “wetdown” event to celebrate the arrival of Engine 3; and

WHEREAS, the event will be held at the Fire and Police Building on Saturday, June 10, 2023 from 3:00 p.m. to 9:00 p.m.; 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, State of New Jersey, that the Fire Department is hereby given permission to hold a special “wetdown” event to celebrate the arrival of Engine 3 on Saturday, June 10, 2023, from 3:00 p.m. to 9:00 p.m. at the Public Safety Complex.

R 75-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLE LICENSE APPLICATIONS SUBMITTED BY MADISON HIGH SCHOOL PTSO

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 are hereby approved:

MADISON HIGH SCHOOL PTSO

I.D. No. 337-4-35507
R.A. No. 1539 – On-Premise 50/50
Date of Raffle – March 15, 2023
R.A. No. 1540 – On-Premise Merchandise
Date of Raffle – March 15, 2023

R 76-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLE LICENSE APPLICATION SUBMITTED BY SAINT VINCENT MARTYR CHURCH

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:

SAINT VINCENT MARTYR CHURCH

I.D. No. 274-1-812
R.A. No. 1541 – On-Premise Merchandise
Date of Raffle – March 24, 2023

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R 77-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLE LICENSE APPLICATION SUBMITTED BY MADISON HIGH SCHOOL PTSO

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:

MADISON HIGH SCHOOL PTSO

I.D. No. 274-1-812

R.A. No. 1541 – On-Premise Merchandise

Date of Raffle – March 24, 2023

R 78-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACTS UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL PURSUANT TO N.J.S.A. 40A:11-11(5)

WHEREAS, the Borough of Madison (Borough) pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:37-7.29 (c), may, by resolution and without advertising for bids, purchase any good and services under a Cooperative Pricing System of which the Borough is a member; and

WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing the MCCPC contracts; and

WHEREAS, the Borough anticipates entering into contract in excess of \$17,500, the cost of which either individually or in the aggregate may exceed the prevailing bid threshold, with the attached referenced MCCPC Contract Vendors through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current MCCPC contracts, but only to the extent that such purchases do not exceed duly authorized budget appropriations for each category of purchase/expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey, authorizes the Qualified Purchasing Agent to purchase certain goods and services from those MCCPC Contract Vendors on the attached list, pursuant to all conditions of the individual co-op contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison, pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order; and

BE IF FURTHER RESOLVED, that the duration of the contracts between the Borough and the referenced MCCPC Contract Vendors shall be until December 31, 2023 or upon expiration of the vendor's contract, whichever is first.

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R 79-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACTS UNDER THE UNION COUNTY COOPERATIVE PRICING COUNCIL PURSUANT TO N.J.S.A. 40A:11-11(5)

WHEREAS, the Borough of Madison (Borough) pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:37-7.29 (c), may, by resolution and without advertising for bids, purchase any good and services under a Cooperative Pricing System of which the Borough is a member; and

WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing the 8UCCPC contracts; and

WHEREAS, the Borough anticipates entering into contract in excess of \$17,500, the cost of which either individually or in the aggregate may exceed the prevailing bid threshold, with the attached referenced 8UCCPC Contract Vendors through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current 8UCCPC contracts, but only to the extent that such purchases do not exceed duly authorized budget appropriations for each category of purchase/expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey, authorizes the Qualified Purchasing Agent to purchase certain goods and services from those 8UCCPC Contract Vendors on the attached list, pursuant to all conditions of the individual co-op contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison, pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order; and

BE IF FURTHER RESOLVED, that the duration of the contracts between the Borough and the referenced 8UCCPC Contract Vendors shall be until December 31, 2023 or upon expiration of the vendor's contract, whichever is first.

R 80-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACTS UNDER THE EDUCATIONAL SERVICES COMMISSION OF NJ PURSUANT TO N.J.S.A. 40A:11-11(5)

WHEREAS, the Borough of Madison (Borough) pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:37-7.29 (c), may, by resolution and without advertising for bids, purchase any good and services under a Cooperative Pricing System of which the Borough is a member; and

WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing the Educational Services Commission of NJ, ESCNJ contracts; and

WHEREAS, the Borough anticipates entering into contract in excess of \$17,500, the cost of which either individually or in the aggregate may exceed the prevailing bid threshold, with the attached referenced ESCNJ Contract Vendors through this resolution and properly executed purchase orders/contracts, which shall

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be subject to all the conditions applicable to the current ESCNJ contracts, but only to the extent that such purchases do not exceed duly authorized budget appropriations for each category of purchase/expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey, authorizes the Qualified Purchasing Agent to purchase certain goods and services from those ESCNJ Contract Vendors on the attached list, pursuant to all conditions of the individual co-op contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison , pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order; and

BE IF FURTHER RESOLVED, that the duration of the contracts between the Borough and the referenced ESCNJ Contract Vendors shall be until December 31, 2023 or upon expiration of the vendor's contract, whichever is first.

R 81-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACTS UNDER THE NJ COOPERATIVE PURCHASING ALLIANCE PURSUANT TO N.J.S.A. 40A:11-11(5)

WHEREAS, the Borough of Madison (Borough) pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:37-7.29 (c), may, by resolution and without advertising for bids, purchase any good and services under a Cooperative Pricing System of which the Borough is a member; and

WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing the NJ Cooperative Purchasing Alliance, CK04 contracts; and

WHEREAS, the Borough anticipates entering into contract in excess of \$17,500, the cost of which either individually or in the aggregate may exceed the prevailing bid threshold, with the attached referenced CK04 Contract Vendors through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current CK04 contracts, but only to the extent that such purchases do not exceed duly authorized budget appropriations for each category of purchase/expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey, authorizes the Qualified Purchasing Agent to purchase certain goods and services from those CK04 Contract Vendors on the attached list, pursuant to all conditions of the individual co-op contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison , pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to

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placing the order and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order; and

BE IF FURTHER RESOLVED, that the duration of the contracts between the Borough and the referenced CK04 Contract Vendors shall be until December 31, 2023 or upon expiration of the vendor's contract, whichever is first.

R 82-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACTS UNDER VARIOUS SOMERSET COUNTY COOPERATIVE PRICING COUNCIL VENDORS PURSUANT TO N.J.S.A. 40A:11-11(5)

WHEREAS, the Borough of Madison (Borough) pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:37-7.29 (c), may, by resolution and without advertising for bids, purchase any good and services under a Cooperative Pricing System of which the Borough is a member; and

WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing the SOCCP contracts; and

WHEREAS, the Borough anticipates entering into contract in excess of \$17,500, the cost of which either individually or in the aggregate may exceed the prevailing bid threshold, with the attached referenced SOCCP Contract Vendors through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current SOCCP contracts, but only to the extent that such purchases do not exceed duly authorized budget appropriations for each category of purchase/expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey, authorizes the Qualified Purchasing Agent to purchase certain goods and services from those SOCCP Contract Vendors on the attached list, pursuant to all conditions of the individual co-op contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison, pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order; and

BE IF FURTHER RESOLVED, that the duration of the contracts between the Borough and the referenced SOCCP Contract Vendors shall be until December 31, 2023 or upon expiration of the vendor's contract, whichever is first.

R 83-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACTS UNDER VARIOUS STATE COOPERATIVE PRICING COUNCIL VENDORS PURSUANT TO N.J.S.A. 40A:11-11(5)

WHEREAS, the Borough of Madison (Borough) pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:37-7.29 (c), may, by resolution and without advertising for bids, purchase any good and services under a Cooperative Pricing System of which the Borough is a member; and

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WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing the Various State Contract Vendors contracts; and

WHEREAS, the Borough anticipates entering into contract in excess of \$17,500, the cost of which either individually or in the aggregate may exceed the prevailing bid threshold, with the attached referenced Various State Contract Vendors Contract Vendors through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current Various State Contract Vendors contracts, but only to the extent that such purchases do not exceed duly authorized budget appropriations for each category of purchase/expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey, authorizes the Qualified Purchasing Agent to purchase certain goods and services from those Various State Contract Vendors Contract Vendors on the attached list, pursuant to all conditions of the individual co-op contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison , pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order; and

BE IF FURTHER RESOLVED, that the duration of the contracts between the Borough and the referenced Various State Contract Vendors Contract Vendors shall be until December 31, 2023 or upon expiration of the vendor's contract, whichever is first.

R 84-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING MADISON ENVIRONMENTAL COMMISSION EV EXPO TO BE HELD ON KINGS ROAD WEDNESDAY, APRIL 19, 2023

WHEREAS, the members of the Madison Environmental Commission have requested permission to close a portion of Kings Road to hold an EV Exposition, on Wednesday, April 19, 2023; and

WHEREAS, the event will be held along Kings Road between Green Village Road and 14 Kings Road, during the hours of 1:00 p.m. and 5:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Madison Environmental Commission to hold an event on Wednesday, April 19, 2023, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

R 85-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF THE 2023 ACCESSIBLE PLAYGROUND FROM BEN SCHAFFER RECREATION, INC. OF LAKE HOPATCONG, NEW JERSEY

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WHEREAS, the Borough of Madison desires to award a contract for the 2023 Accessible Playground project at Dodge Field from an authorized vendor under the Educational Services Commission of ESCNJ/AEPA-21C; and

WHEREAS, the purchase of goods and services through County agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq; and

WHEREAS, Ben Schaffer Recreation, Inc. of Lake Hopatcong, New Jersey has been awarded Educational Services Commission of NJ ESC Co-op #65MCECPS – ESCNJ 20/21-22; and

WHEREAS, the Qualified Purchasing Agent has recommended that the Borough Council utilize this contract for accessible playground equipment in the amount of \$470,754.16; and

WHEREAS, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$470,754.16 for this purpose in account T03-56-851-014, or any other account deemed appropriate 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 contract for an accessible playground from Ben Schaffer Recreation, Inc., at a total price not to exceed \$470,754.16 is hereby approved under the Educational Services Commission of NJ ESC Co-op #65MCECPS – ESCNJ 20/21-22.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Ben Schaffer Recreation, Inc. for the purchase of accessible recreation equipment at a total price not to exceed \$470,754.16, in a form acceptable to the Borough Attorney.

R 86-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ST. BALDRICK'S CHILDREN'S CANCER EVENT AT WAVERLY PLACE ON SUNDAY, FEBRUARY 26, 2023

WHEREAS, Tom Selquist has applied for special permission to close Waverly Place on Sunday, February 26, 2023, from 1:00 p.m. – 4:00 p.m., for a community fundraising event for childhood cancer; and

WHEREAS, the Borough Council has determined that special permission should be issued provided that Mr. Selquist complies with all requests from the Police Department and Health Department.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that special permission is authorized to close Waverly Place on Sunday, February 26, 2023, from 1:00 p.m. – 4:00 p.m. subject to compliance with requests from Borough officials.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Hoover, seconded by Ms. Coen 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	\$296,498.86
General Capital Fund	197,555.67
Electric Operating Fund	340,483.82
Electric Capital Fund	31,317.19
Water Operating Fund	63,914.78
Water Capital Fund	0.00
Trusts	<u>32,302.25</u>
Total	<u>\$962,072.57</u>

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

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

NEW BUSINESS

Mayor Conley announced the following appointments:

ENVIRONMENTAL COMMISSION

One-year term through December 31, 2023

Associate Members

Kate Dunnigan

Trina Mallik

Mayor Conley announced the following appointment and requests Council confirmation:

SUSTAINABLE MADISON ADVISORY COMMITTEE

One-year term through December 31, 2023

Board of Education Representative – Grace Kim

COMPLETE STREETS COMMITTEE

One-year term through December 31, 2023

Kathleen Caccavale

Mr. Hoover moved confirmation of the foregoing appointments. Mr. Range seconded the motion, which passed with a unanimous voice call vote recorded.

Regular Meeting Minutes – February 13, 2023

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:45 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved February 27, 2023 (EO)