

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

**May 9, 2022 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 9<sup>th</sup> day of May, 2022. Mayor Conley called the meeting to order at 7:30 p.m., in the Council Chamber 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 May 4, 2022. 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, via teleconference

Council Members:

Maureen Byrne  
John F. Hoover  
Debra J. Coen  
Rachael Ehrlich  
Robert Landrigan  
Eric Range

Also Present:

Raymond M. Codey, Borough Administrator  
James E. Burnet, Assistant Borough Administrator  
Elizabeth Osborne, Borough Clerk  
Marina Stinely, Esq. for Matthew J. Giacobbe, Esq. Borough Attorney

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**READING OF CLOSED SESSION RESOLUTION**

Mr. Landrigan moved:

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

MINUTES FOR APPROVAL (1)

March 14, 2022

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

POTENTIAL LITIGATION MATTERS (1)

DREW UNIVERSITY

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

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Seconded: Ms. Byrne  
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.

**APPROVAL OF MINUTES**

Ms. Ehrlich moved approval of the **Executive Minutes of March 14, 2022**. Ms. Byrne seconded the motion, which passed with the following roll call vote recorded:

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

Ms. Ehrlich moved approval of the **Regular Meeting Minutes of March 14, 2022**. Ms. Coen seconded the motion, which passed with the following roll call vote recorded:

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

**GREETINGS TO PUBLIC**

Mr. Range presented the following proclamation to U.S. Postal Service Letter Carrier William Espinosa:

**Letter Carriers' Stamp Out Hunger Food Drive Day, May 14, 2022**

*Proclamation  
of the  
Borough of Madison*

*Proclaiming Saturday, May 14, 2022*

*NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE DAY*

**WHEREAS,** hunger affects 1 in 8 Americans, including millions of children, senior citizens and veterans, a reality that is being tackled by the U.S. letter carriers through their food drive which is held annually on the second Saturday in May; and

**WHEREAS,** The Stamp Out Hunger Food Drive is the country's largest one-day food collection and provides residents with an easy way to donate food to those in need; and

**WHEREAS,** the NALC Food Drive is held in 10,000 cities and towns in all 50 states, the District of Columbia, Puerto Rico, the Virgin Islands and Guam and is helped by many local volunteer groups including the United Way, Salvation Army,

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Catholic Charities, National Guard units, American Legion and Veterans of Foreign Wars, Boy/Girl Scouts, Rotary Clubs and AARP groups; and

**WHEREAS**, in the 30 years since it began, the food drive has collected about 1.82 billion pounds of food; and

**WHEREAS**, the timing is important, with food banks, pantries and shelters running low on donations from the winter holidays and with summer approaching, when many school meal programs are suspended; and

**WHEREAS**, the need is as great as ever, given the pandemic-caused economic dislocations of the past two years.

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim Saturday, May 14, 2022 as

**NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE DAY**, and encourage residents to support the food drive by placing non-perishable food items in or near your mailbox on Food Drive Day. Further, I commend the National Association of Letter Carriers for initiating this humanitarian project that will directly benefit those in need in our community.

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**Robert H. Conley Mayor**  
May 9, 2022

Ms. Byrne presented the following awards:

***Historic Preservation Commission Awards***

Ms. Coen presented the following proclamation:

***Mental Health Awareness Month - May 2022***

***Proclamation***  
***of the***  
***Borough of Madison***  
***Proclaiming***  
***Mental Health Awareness Month***  
***May 2022***

**WHEREAS**, mental health is part of overall health; and

**WHEREAS**, mental health sustains individual's thought processes, relationships, productivity, and ability to adapt to change; and

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**WHEREAS**, nearly one in five Americans live with a mental health conditions which include anxiety, depression, schizophrenia, bipolar disorder and post-traumatic stress disorder; and

**WHEREAS**, youth mental health is worsening, with nearly 10 percent of America’s youth reporting severe depression; and

**WHEREAS**, early identification and treatment can make a difference in successful management of mental illness and recovery; and

**WHEREAS**, the COVID-19 pandemic and the resulting economic crisis have caused isolation, sickness, grief, job loss, food instability and loss of routines has increased the need for mental health services; and

**WHEREAS**, the need to protect people from COVID-19 has made it more challenging for people to access mental health services, and harder for providers to deliver this care; and

**WHEREAS**, mental health recovery not only benefits individuals with mental health disorders by focusing on their abilities to live, work, learn and fully participate and contribute to our society, but also enriches the culture of our community life;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison on behalf of the governing body, do hereby proclaim May 2022 as **Mental Health Awareness Month** and call upon residents, businesses and schools to recommit to increasing awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illnesses to promote recovery.

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**Robert H. Conley Mayor**  
May 9, 2022

Mr. Hoover presented the following awards to Lucia Reilly, with her family present:

***May Day 2022 Awards***

Ms. Ehrlich presented the following proclamation to resident Margaret Haughey:

***National Gun Violence Awareness Day - June 3, 2022***

***Proclamation***  
***of the***  
***Borough of Madison***  
***Declaring the First Friday in June to be***  
***National Gun Violence Awareness Day***

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**WHEREAS**, every day, more than 110 Americans are killed by gun violence, alongside more than 200 who are shot and wounded, and on average there are nearly 16,000-gun homicides every year; and

**WHEREAS**, Americans are 26 times more likely to die by gun homicide than people in other high-income countries; and

**WHEREAS**, New Jersey has 475-gun deaths every year, with a rate of 5 deaths per 100,000 people; and

**WHEREAS**, gun homicides and assaults are concentrated in cities, with more than half of all firearms related gun deaths in the nation occurring in 127 cities; and

**WHEREAS**, cities across the nation, including in Madison, are working to end the senseless violence with evidence-based solutions; and

**WHEREAS**, protecting public safety in the communities they serve is mayors' highest responsibility; and

**WHEREAS**, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

**WHEREAS**, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

**WHEREAS**, gun violence prevention is more important than ever as the COVID-19 pandemic continues to exacerbate gun violence after more than two years of increased gun sales, increased calls to suicide and domestic violence hotlines, and an increase in city gun violence;

**WHEREAS**, in January 2013, Hadiya Pendleton was tragically shot and killed at age 15; and on June 3, 2022, to recognize the 25th birthday of Hadiya Pendleton (born: June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to -

- (1) Hadiya Pendleton and other victims of gun violence; and
- (2) the loved ones of those victims; and

**WHEREAS**, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

**WHEREAS**, anyone can join this campaign by pledging to wear orange on June 3rd, the first Friday in June in 2022, to help raise awareness about gun violence; and

**WHEREAS**, by wearing orange on June 3, 2022, Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

**WHEREAS**, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

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**NOW, THEREFORE BE IT RESOLVED**, that Mayor Bob Conley, of the city of Madison, declares the first Friday in June, June 3, 2022, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

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**Robert H. Conley Mayor**  
May 9, 2022

Borough Clerk, Elizabeth Osborne was presented with flowers and the following proclamation:

***Municipal Clerks' Week 2022***

*Proclamation  
of the  
Borough of Madison*

*Recognizing  
MUNICIPAL CLERKS WEEK  
MAY 1 THROUGH MAY 7, 2022*

**WHEREAS**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, the Office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS**, the Municipal Clerk serves as the information center on functions of local government and community; and

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk, notably Elizabeth Osborne, Caridad Reyes, Bonnie Mulcahy and Helene Corlett;

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**NOW, THEREFORE,** I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby recognize the week of May 1 through May 7, 2022, as **Municipal Clerks Week**, and further extend appreciation to our Municipal Clerk, Elizabeth Osborne, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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**Robert H. Conley Mayor**  
May 9, 2022

### **REPORTS OF COMMITTEES**

#### **Utilities**

Mr. Landrigan, Chair of the Committee, made the following comments:  
The Electric Department is currently setting poles for the Police Department, so they may install cameras. Friday, April 29th, there was a power outage on North Street and Park Avenue caused by a squirrel. Full power was restored within 45 minutes. The Department has completed the line construction work on Elm Street for the new condominium development. Meeting with Electrical Contractors in several areas seeking to install three phase EV charging stations. The Department continues to work behind Lincoln Place, regarding the redevelopment project. The Department continues to do mark-outs, house services, and replacing of old HPS streetlight bulbs with the new energy efficient LED heads. The Water Department received 130 additional mark-out requests for this year's tree planting program. The Department has located, excavated, and repaired 2 curb boxes, so homeowner's contractors can make necessary repairs to water service. The NJDEP State Inspectors made annual "House Keeping" inspection of the Wells, Treatment Plants, Storage Tanks, and Record Keeping for the Department. The Water Department also repaired a leaking water fountain at Lucy D. Anthony Baseball Field.

#### **Public Safety**

Ms. Byrne, Chair of the Committee, made the following comments:  
Earlier this morning, the Police Unity Tour traveled through our center of town with several hundred law enforcement bicycle riders and support vehicles on the way to Washington D.C. The bike ride is to honor law enforcement officers who died in the line of duty. The Police Unity Tour was established in 1997 with less than 20 bike riders, several from Madison Police Department. Since that time, Madison PD has always had an officer involved in the ride. This year, Capt. Joe Longo will be helping in a support vehicle. Last week from May 2nd - May 6th, police department members took part in their spring firearm qualifications that took place over the course of five days at our firearms range on John Avenue. This training, which is mandated by the New Jersey Attorney General's Guidelines, occurs in the spring and fall season. During the month of April the Fire Department responded to a total of 105 incidents for the month. Forty five Fire Prevention inspections were made and thirty six Smoke/CO resale certificates were issued. There were two Department drills held and one in an acquired structure that is slated to be knocked down. Firefighters were able to drill in Search & Rescue techniques, hose line advancement and roof ventilations. On Friday, May 6th Madison & Florham Park Fire Department's raised their large American Flag to proudly honor local area High School students that will be entering the Military when they graduate this coming June. This ceremony is held annually on the FDU campus.

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### **Community Affairs**

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

The next meeting of the Downtown Development Commission is scheduled for May 19, 2022, at 7:00 p.m. The public is welcome to attend. May Day activities have been rescheduled for Saturday, May 14, 2022. The 30<sup>th</sup> annual Farmers' Market will open for the season on Thursday, May 19<sup>th</sup> at Dodge Field. Mr. Hoover reminded residents that the Green Avenue Parking lot is now open for general parking.

### **Finance and Borough Clerk**

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

Ms. Coen noted that the 2<sup>nd</sup> quarter property taxes were due May 1<sup>st</sup> and tomorrow is the last day to make a payment without a penalty. Please contact the Tax collector if you have questions.

### **Public Works and Engineering**

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

The Borough Engineer noted that the Hartley Dodge Memorial Plaza reconstruction project will be completed by the end of the month. Annual road reconstruction projects will begin in June. On tonight's agenda listed for Council consideration is a resolution making the Complete Streets Committee, which has been a committee in the Borough since 2012, further official, as part of the Borough Code. From the Department of Public Works, spring planting continues as well as pothole repairs. The Waverly Place clock has also been repaired. All ball fields are in great shape for summer sports.

### **Health**

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

COVID -19 infection levels continue to raise in Morris County and throughout the State. Residents are encouraged to wear masks in indoor settings. Mr. Range noted that numbers for children missing regular vaccines is higher than normal and parents are reminded to continue to vaccinate. This week is National Nurses Week and we thank the public health nurses and school nurses in our community.

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Email dated April 28, 2022 from Laurie Reynolds, of Academy Road, thanked the Mayor for his efforts to Save the Drew Forest.

Email dated May 2, 2022 from John Marecki of Buckingham Drive, thanking the Mayor and Council for their efforts to preserve the Drew Forrest.

Email dated May 5, 2022 from Mark Sheeleigh of Barnesdale Road, supporting steps taken to preserve the Drew Forest.

Email dated May 5, 2022, from Evan and Amanda Lorey, Shadylawn Drive thanking the Mayor and Council for their efforts to support the Drew Forest.

Email dated May 9, 2022, from John Larkin, Elm Street, regarding the abuses by Optimum and lack of FIOS service.

### **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

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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.**

**Clair Whitcomb; Fairwood Road**, asked for additional information regarding Resolutions 147-2022 and 148-2022, regarding environment purchasing and grounds maintenance policies.

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

**AGENDA DISCUSSIONS**

**05/09/2022-1** WATER METER MODULES UPDATE - J. Burnet CFO/Asst. Borough Administrator Jim Burnet and Customer Serviceman Jim Trimble presented information regarding water meter modules, explaining technology and installation procedures. Mr. Burnet will come back to council for procurement.

**ADVERTISED HEARINGS - None**

**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.**

**Clair Whitcomb; Fairwood Road**, thanked Mr. Burnet for the presentation regarding water meter modules. Ms. Whitcomb noted an article in the NJ Hills newspaper regarding the importance of the Drew Forest to campus life and the educational mission of Drew University

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 May 23, 2022 in the 2<sup>nd</sup> 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:

ORDINANCE 23-2022 ORDINANCE OF THE BOROUGH OF MADISON  
ESTABLISHING A COMPLETE STREETS COMMITTEE

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**WHEREAS**, Resolution 161-2012 recognizes the adoption of a Complete Street Policy; to meet the transportation needs of all its citizens by providing road networks that are safer, healthier, more livable and welcoming to everyone; and

**WHEREAS**, the policy directs staff to accommodate all appropriate modes of travel, when redesigning the public right of ways; and

**WHEREAS**, the Council has determined that it is in the best interest of the Borough of Madison to officially establish a Complete Streets Committee.

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

**SECTION 1:** The Madison Borough Code is amended to include the following Chapter 9-9B entitled “Complete Streets Committee”:

**Chapter 9-9B: Complete Streets Committee.**

**§9-9B-A. Establishment.**

The Complete Streets Committee is hereby established to be known as “the Complete Streets Committee of the Borough of Madison” (hereafter referred to as “the Committee”). The Committee shall consist of no more than fourteen members, as listed.

**§9-9B-B. Purpose and Responsibilities.**

- (1) The Committee will provide information to the Borough staff regarding the Complete Streets policy.
- (2) The policy requires that future roadway improvement projects include safe accommodations for all users, including bicyclists, pedestrians, transit riders and the mobility-impaired.
- (3) This policy is implemented through the planning, design, construction, maintenance and operation of new or rehabilitated transportation facilities within public rights of way.

**§9-9B-C. Membership and Terms of Office.**

- (1) Membership shall consist of fourteen members. All members of the Committee shall serve without compensation. The Committee shall be comprised of the following persons, appointed by the Mayor with the advice and consent of Council:

1. Mayor Ex-officio
2. Public Safety Council Liaison
3. Engineering Council Liaison
4. Borough Engineer
5. DPW Director
6. Madison Police Rep

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7. Madison Police Traffic Control Officer
8. Board of Ed Rep
9. Public School Rep
10. Director of Business Development
11. Sustainable Madison Advisory Committee Rep
12. At- Large Resident
13. At- Large Resident
14. At- Large Resident

**§9-9B-D. Vacancies**

Any vacancy occurring by reason of the death, resignation or removal of any member shall be filled for the unexpired term by the Mayor with advice and consent of the Council.

SECTION 2: SEVERABILITY. If any 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, which shall otherwise remain in full force and effect.

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

SECTION 4: This ordinance shall take effect as provided by law.

Ms. Ehrlich moved that Ordinance 23-2022, which the Borough Clerk read by title, be adopted. Ms. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

**ORDINANCE 24-2022 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$1,425,000.00 FROM THE WATER CAPITAL IMPROVEMENT  
FUND AND \$575,000.00 FROM THE WATER CAPITAL RESERVE FOR THE  
REPLACEMENT OF WATER METERS AND COMMUNICATION MODULES**

**WHEREAS**, the Chief Financial Officer/Assistant Borough Administrator has recommended that the Borough appropriate \$1,425,000.00 from the Water Capital Improvement Fund and \$575,000 from the Water Capital Reserve for Automated Meter Reading for the replacement of water meters and installation of automated reading communication modules and related equipment; and

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**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$1,425,000.00 and \$575,000.00 in the Water Capital Reserve for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$575,000.00 from the Water Capital Reserve Automated Meter Reading and \$1,425,000.00 from the Water Capital Improvement Fund for the replacement of water meters and installation of automated reading communications modules and related equipment.

**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 \$575,000.00 in the Water Capital Reserve Automated Meter Reading and \$1,425,000.00 the Water Capital Improvement Fund is hereby appropriated for the replacement of water meters and installation of automated reading communications modules and related equipment.

**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. Landrigan moved that Ordinance 24-2022, 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: Ms. Byrne, Mr. Hoover, Ms. Coen,  
Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

ORDINANCE 25-2022 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$65,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR REPLACEMENT OF HYDRAULIC HOSES AND REPAIRS TO  
LADDER TRUCK (TOWER 1)

**WHEREAS**, the Fire Chief has recommended that the Borough appropriate \$65,000.00 from the General Capital Improvement Fund to replace hydraulic hoses and repairs to Ladder Truck (Tower 1); 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 \$65,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$65,000.00 from the General Capital Improvement Fund to replace hydraulic hoses and repairs to Ladder Truck (Tower 1); and

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

**SECTION 1:** The amount of \$65,000.00 is hereby appropriated from the General Capital Improvement Fund to replace hydraulic hoses and needed repairs to Ladder Truck (Tower 1).

**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. Byrne moved that Ordinance 25-2022, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

**ORDINANCE 26-2022    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$43,600.00 FROM GENERAL CAPITAL IMPROVEMENT FUND  
FOR THE PURCHASE OF FIREFIGHTING TURNOUT, THERMAL CAMERAS  
AND GAS SENSORS**

**WHEREAS,** the Fire Chief has recommended that the Borough appropriate \$43,600.00 from the General Capital Improvement Fund towards the purchase of firefighting turnout gear, thermal cameras and gas sensors for the Fire Department; and

**WHEREAS,** funds are available in the General Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

**WHEREAS,** the Borough Council has determined that the Borough should appropriate \$43,600.00 from the General Capital Improvement Fund towards the purchase of firefighting turnout gear, thermal cameras and gas sensors for the Fire Department.

**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 \$43,600.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of firefighting turnout gear, thermal cameras and gas sensors for the Fire 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.

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Ms. Byrne moved that Ordinance 26-2022, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,  
Ms. Ehrlich, Mr. Landrigan, Mr. Range

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.

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

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,  
Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

R 142-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF A VEHICLE AND ACCESSORIES FOR THE PUBLIC WORKS DEPARTMENT THROUGH THE NEW JERSEY COOPERATIVE PRICING SYSTEM

**WHEREAS**, the Borough of Madison desires to award a contract for the purchase of a vehicle 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**, Beyer 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 21-2022, 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:

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1. A contract with Beyer Ford, Morristown, N.J. for the purchase of a vehicle and accessories for the Public Works Department, in an amount not to exceed \$67,714.50 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 Beyer 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 143-2022 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO WEEDS, INC. FOR CONTROL AND REMOVAL OF INVASIVE SPECIES AT THE MADISON RECREATION COMPLEX**

**WHEREAS**, the Borough of Madison solicited quotes for control and removal of invasive plant species at the Madison Recreation Center (MRC) (the “Contract”) in accordance with the Local Public Contracts Law; and

**WHEREAS**, the Qualified Purchasing Agent has recommended awarding a contract to Weeds, Inc., for control and removal of invasive plant species at the Madison Recreation Center (MRC) in an amount not to exceed \$3,600.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$3,600.00 for this purpose in Ordinance 21-2019.

**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 control and removal of invasive plant species at the Madison Recreation Center (MRC) is hereby awarded to Weeds, Inc. based upon a quote in the amount of \$3,600.00.

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

**R 144-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SPECIAL EVENT PERMIT TO ALLOW THE USE OF SUMMERHILL PARK BY BOY SCOUTS OF AMERICA PATRIOTS PACK 124 ON JUNE 4, 2022**

**WHEREAS**, the Patriots’ Pack 124 of Madison has requested permission to use public property on Saturday, June 4, 2022 to Sunday June 5, 2022, for a scouting event; and

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

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**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 Summerhill Park, Saturday, June 4, 2022 to Sunday, June 5, 2022, for a scouting event, subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

**R 145-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RARE DISEASE RENEGADES TO HOLD A “RENEGADE RIDE” ON SATURDAY, JUNE 11, 2022 TO PROMOTE DUCHENE MUSCULAR DYSTROPHY AWARENESS**

**WHEREAS**, the Rare Disease Renegades has requested permission to close a portion of Kings Road to hold a “Renegade Ride” to promote Duchene Muscular Dystrophy Awareness on Saturday, June 11, 2022; and

**WHEREAS**, the event will be held along Kings Road between Green Village Road and 27 Kings Road, during the hours of 11:00 a.m. and 2:00 p.m.; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Rare Disease Renegades is hereby granted permission to use portions of Kings Road between Green Village Road in connection with the “Renegade Ride” to be conducted on Saturday, June 11, 2022, between the hours of 11:00 a.m. and 2:00 p.m. subject to the conditions that the Rare Disease Renegades reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

**R 146-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL FOR LIVERY OWNERS LICENSE FOR MADISON LIMOUSINE SERVICE FOR 2022**

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**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 application be approved for the year 2022:

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicle</u>
2022-1L	Michael Lekas	3 Livery
2022-2L	Madison Limousine Service	
2022-3L	340 Main Street, Madison, NJ	

**R 147- 2022 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE ADOPTION OF AN ENVIRONMENTALLY PREFERABLE PURCHASING POLICY**

**WHEREAS**, it is environmentally and economically desirable to utilize practices that reduce waste by increasing product efficiency and effectiveness, and **WHEREAS**, it benefits the community to purchase products that minimize environmental impacts, toxics, pollution and hazards to worker and community safety to the greatest extent practicable, and

**WHEREAS**, the purchase of products that include recycled content, are durable and long lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing process, are lead-free and mercury-free, and use wood from sustainable harvested forests (FSC) when and where possible, will serve to protect the environment and provide long term economic benefit;

**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 support the adoption of a policy that serves to:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to workers and our community,
- Support strong recycling markets,
- Reduce materials that are routinely land filled or disposed of,
- Increase the use and availability of environmentally preferable products that protect the environment,
- Identify environmentally preferable products & associated distribution systems,
- Purchase from manufacturers, & contract with vendors, that reduce environmental impacts in their production & distribution systems or services,
- Collect & maintain up-to-date information regarding manufacturers, vendors and other sources for locating/ordering environmentally preferable products,
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

The Madison Purchasing Department and members of Sustainable Madison Advisory Committee, which shall be composed of representatives from various Borough departments, commissions/committees and residents shall research, evaluate, and implement the environmental purchasing objectives. The emphases

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will be on source reduction, recycled content products, energy and water savings, green buildings and LEED IM ratings, landscaping and hardscaping, toxics and pollution, forest conservation and bio-based products. The Borough administration and the Committee will evaluate the policy implementation on an annual basis.

The health & safety of workers & citizens is of the utmost importance and takes precedence over all other policies and practices.

Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

Nothing contained in this policy shall be construed as requiring the Borough of Madison, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

### Definitions:

“Bio-Based Products” means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.

“Chlorine Free” means products processed without chlorine or chlorine derivatives.

“Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the Borough of Madison or serves in a subcontracting capacity with the Borough of Madison or with an entity having a contract with the Borough of Madison for the provision of any goods or services.

“Forest Stewardship Council” (FSC) is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.

“LEED IM Rating System” means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED IM Rating System, approved by the U.S. Green Building Council and designed for rating new and existing commercial, institutional, and high-rise residential buildings.

“Practical” & “Practicable” mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.

“Recycled Content” means the percentage of recovered material, including pre-consumer and postconsumer materials, in a product.

“Source Reduction” refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no,

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or reduced, toxic constituents; and products marketed with no, or reduced packaging.

**R 148-2022 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE ADOPTION OF AN ENVIRONMENTALLY-CONSCIOUS GROUNDS AND MAINTENANCE POLICY**

**WHEREAS**, it is valuable to establish procedures, methods, and practices that benefit our natural lands and environment, the health of our workers and citizens, and minimize negative environmental impacts; and

**WHEREAS**, practices that increase product and method efficiency and effectiveness reduce waste; and

**WHEREAS**, it is beneficial to utilize products and methods that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the fullest extent that is practical; and

**WHEREAS**, the use of methods and products that reduce waste or increase recyclability, are sustainable, conserve energy and water, reduce greenhouse gas emissions, use unbleached or chlorine-free manufacturing processes, reduce use of chemicals and are lead-free and mercury-free, when and where practicable, provides long-term benefits to 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 support the adoption of a policy that encourages and increases the use of environmentally-preferable methods, products, and services in municipal grounds and building decisions, to promote practices that are beneficial to our lands, public and worker health and natural resource conservation.

The policy objectives are to:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxins that create hazards to workers and the community,
- Support strong recycling markets,
- Reduce materials that are routinely landfilled,
- Increase the use and availability of environmentally-preferable products that protect the environment,
- Identify environmentally-preferable techniques, methods, and distribution systems,
- Create a model for sustainable buildings and grounds maintenance that encourages others in the community to adopt similar goals.

The Public Works Department and members of the Sustainable Madison Advisory Committee composed of representatives from various Borough departments and residents agree to research, evaluate, and implement the sustainable methods to grounds and buildings maintenance objectives. The Committee will focus its research, evaluation and implementation on the following areas: water- and energy-efficient products and processes, landscape and grounds management, renewable products, waste and pollution reduction, recycled content products, composting and the reduction of chemical and toxic substances and processes. The implementation shall be coordinated with other appropriate Borough personnel and evaluated by the team annually.

The health and safety of workers and citizens is of utmost importance and takes precedence over all other policies.

To the fullest extent possible, the Borough has made significant investments

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in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally-sound production system. Therefore, wherever practicable, recycled content shall be included in products that also meet other specifications, such as chlorine-free or bio-based.

Nothing contained in this policy shall be construed as requiring a department or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time. Nor shall this policy be construed as requiring the Borough, department, purchaser or contractor to take any action that shall conflict with local, state, county or federal requirements.

**Definitions:**

“Bio-Based Products” means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.

“Chlorine Free” means products processed without chlorine or chlorine derivatives.

“Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the Borough of Madison or serves in a subcontracting capacity with the Borough of Madison or with an entity having a contract with the Borough of Madison for the provision of any goods or services.

“Energy Efficient Product” means a product that is in the upper twenty-five (25%) percent of energy efficiency for all similar products, or that is at least ten (10%) percent more efficient than the minimum level that meets Federal standards and guidelines.

“Practical” & “Practicable” mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.

“Recycled Content” means the percentage of recovered material, including pre-consumer and postconsumer materials, in a product.

“Water-Efficient Products” are those that are in the upper twenty-five (25%) percent of water conservation for all similar products, or at least ten (10%) percent more water-conserving than the minimum level that meets the Federal standards.

**UNFINISHED BUSINESS - None**

**APPROVAL OF VOUCHERS**

On motion by Mr. Landrigan, seconded by Ms. Byrne 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	\$123,882.19
General Capital Fund	7,488.00
Electric Operating Fund	127,496.65
Electric Capital Fund	2,146.00

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Water Operating Fund	6,047.88
Water Capital Fund	0.00
Trusts	<u>14,228.71</u>
Total	<u>\$281,289.43</u>

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

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,  
Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved June 25, 2022 (EO)