

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

**May 22, 2023 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 22<sup>nd</sup> day of May, 2023. Mayor Conley called the meeting to order at 6:30 p.m., in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

**STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 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  
Rachael Ehrlich  
Robert Landrigan  
Eric Range  
Thomas Haralampoudis, via teleconference  
John J. Forte

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. Hoover moved:

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

MINUTES FOR APPROVAL (1)

May 8, 2023

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

PERSONNEL MATTERS (1)

INTERIM FIRE CHIEF INTERVIEWS

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

**Regular Meeting Minutes – May 22, 2023**

LITIGATION MATTERS (1)

DREW UNIVERSITY

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

CONTRACT MATTERS (2)

SPECIAL COUNSEL

MADISON VOLUNTEER AMBULANCE CORP

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

Seconded: Ms. Ehrlich

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 for the passing of the following Madison residents: Francis J. Stricchiola, Sr., Anna Louise Fuschetti and Bernadine “Bernie” Barilla.

**Oath of Office – Council Member John J. Forte**

Mayor Conley called forth Mr. John Forte. The Oath of Office of Council Member Forte was administered by Mayor Conley, with Mr. Forte’s family present. Mr. Forte thanked his family and fellow Council members. Mayor Conley noted the following Board and Committee liaison appointments assigned to Mr. Forte.

HISTORIC PRESERVATION COMMISSION  
JOINT MEETING FINANCE/PERSONNEL COMMITTEE  
JOINT MUNICIPAL COURT  
MUNICIPAL AUDIT COMMITTEE

**APPROVAL OF MINUTES**

Mr. Hoover moved approval of the **Executive Minutes of May 8, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded. Mr. Forte abstained.

Mr. Hoover moved approval of the **Regular Meeting Minutes of May 8, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded. Mr. Forte abstained.

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

Mayor Conley called forth Doug Willis and members of the Madison Rotary to accept the following proclamation:

*Proclamation  
of the  
Borough of Madison*

***Recognizing the  
100<sup>TH</sup> ANNIVERSARY OF MADISON ROTARY CLUB***

**WHEREAS**, Rotary International is the world’s first and largest non-profit service organization whose members strive to fulfill the Rotary’s motto of “Service Above Self”; and

**WHEREAS**, chartered on May 24, 1923, the Rotary Club of Madison is an organization of professional people and community leaders who are involved with Rotary International programs as well as many projects benefitting the community directly; and

**WHEREAS**, the Madison Rotary established the Interact Club, a Rotary service club at Madison High School to encourage service and empower youth; and

**WHEREAS**, through food collections and drives, Ladles of Love, and End Hunger events, Madison Rotary works toward eradicating food insecurity locally; and

**WHEREAS**, many Madison Rotary members participate with clean up and beautification of the Borough by participating in Madison’s Green and Clean (formerly May Day); and

**WHEREAS**, proceeds raised by the Madison Rotary shredding events and from selling hot dogs and hamburgers on Bottle Hill Day are distributed annually to local charities and go toward scholarships for Madison High School seniors; and

**WHEREAS**, Madison Rotary’s Annual Christmas Tree Sale and 50/50 lottery are community favorites which sell out every year and also provide funds for local initiatives; and

**WHEREAS**, Rotary has no secret handshake, no secret policy, no official creed, no secret meetings or rituals, but is an open society of men and women who simply believe in helping others.

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby recognize and congratulate Madison Rotary on their 100<sup>th</sup> Anniversary and thank them for making Madison and our world a better place to live.

---

**Robert H. Conley, Mayor**  
May 22, 2023

Mayor Conley called forth Nancy Phillippi and members of Moms Demand Action Morris County to receive the following proclamation.

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

***Proclamation  
of the  
Borough of Madison  
Proclaiming***

**National Gun Violence Awareness Day  
June 2, 2023**

**WHEREAS**, every day, more than 120 Americans are killed by gun violence and an additional 200 are shot and wounded and on average there are more than 17,000 gun homicides every year; and

**WHEREAS**, Americans are 26 times more likely to be killed with guns than people in other high-income countries; and

**WHEREAS**, New Jersey has 427 gun deaths every year, with a rate of 4.8 deaths per 100,000 people; and

**WHEREAS**, firearms are the leading cause of death for children and teens in the United States; and

**WHEREAS**, protecting public safety in the communities they serve is a Mayor's 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**, municipalities across the nation, including Madison, are working to end the senseless violence with evidence-based solutions; and

**WHEREAS**, in January 2013, Hadiya Pendleton was shot and killed at age 15 and on June 2, 2023 to recognize Hadiya's 26<sup>th</sup> birthday, people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to all victims of gun violence and their loved ones; 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 2, the first Friday in June 2023, to help 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 families and communities safe.

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim June 2, 2023 as **National Gun Violence Awareness Day** and encourage all residents to wear orange to support efforts to prevent the tragic effects of gun violence and to honor and value human lives.

## **Regular Meeting Minutes – May 22, 2023**

### **REPORTS OF COMMITTEES**

#### **Community Affairs**

Mr. Hoover, Chair of the Committee, made the following comments:  
For the Downtown Development Commission/Director of Business Development, Mr. Hoover noted that the Madison Farmers Market will open on Thursday, May 25, for its 31st season. The Market will again be held at Dodge Field from 1:00-6:00 pm. The season continues through November 16<sup>th</sup> and will feature live music weekly. Bottle Hill Day will be held on Saturday, October 7<sup>th</sup>, this fall. Sponsorship and vendor information has been published and is available on rosenet. The Chamber's Annual Awards Dinner is Tuesday, June 6<sup>th</sup>, at 6:00 pm at Brooklake Country Club. The Chamber is accepting nominations for this year's Extra Mile Award, an initiative to recognize and celebrate individuals who have provided excellent customer service in our community. Nominations are open to everyone in the community, and we encourage residents, business owners, and visitors to nominate individuals who deserve recognition for their outstanding service. For more information, please visit [MadisonNJChamber.com](http://MadisonNJChamber.com). Fire extinguisher inspections are scheduled for Tuesday, June 13<sup>th</sup>, from 12:00 to 4:00 p.m. at the corner of Central and Main. Inspections are \$20 per fire extinguisher and \$15 for chamber members. The Summer Outdoor Concert Series musical acts on the outdoor stage have been scheduled. They will run every other Friday starting June 30<sup>th</sup>. The first evening will feature the Big Beat Big Band from Newark. The following three events will feature local artists: Madison's own progressive rock band, Marsupia will perform on July 14<sup>th</sup>, on July 28<sup>th</sup>, the Bottle Hill Big Band; August 11<sup>th</sup>, Bobby Syvarth. The last two evenings will be devoted to two exceptional Jazz Bands: Afro-Peruvian Jazz from Forbidden Tropics with guitarist Alejandro Ataucusi on August 25<sup>th</sup>; and on September 8<sup>th</sup>, Pyrenesia, a gypsy jazz band from Frenchtown, NJ. In the event of inclement weather, the concerts will be moved indoors. The Film Society of Summit has announced two films for June Hilma on Sunday, June 4<sup>th</sup>, at 4:00 p.m. The lead actress in the film Tora Hallström [Hall-strum], will be present for a post-viewing conversation. And on Saturday, June 10, at 7:30 pm, they will screen the documentary Close to Vermeer, a behind-the-scenes look at the Vermeer exhibit currently running in Amsterdam. On Saturday, June 3<sup>rd</sup>, Madison native Chuck Wood will bring his world-beat music to the center at 7:00 p.m. On Friday, May 26<sup>th</sup>, there will be a reading of a new play, *To Be Lucky*, with a post-reading discussion.

#### **Public Works and Engineering**

Ms. Ehrlich, Chair of the Committee, made the following comments:  
The Engineering Department reports that work on the Memorial Park trails has begun today, equipment will be stored near the Madison dog park and should take eight weeks to complete. Sewer lining has also begun in the area of Beech, Rose and Pine Avenues. The Department of Public Works will be attending a seminar this week by Rutgers Center for Government services on lowering energy costs with Sustainable NJ and the City of Maplewood, on how to better manage Green energy. There is a noticeable difference in our street sweepings on number of plastic bags that are swept up. Our street sweepings are getting cleaner. The Sewer Dept. has all manholes and catch basins ready this year's paving program. If residents see a lot of utility mark outs around telephone poles, it's due to PSE&G conducting soil samples looking for any type of gas leak. The Department assisted Madison Little League with the installation of the new sign at Whitey Vitale Field on Rosedale. This is now a LED scoreboard using less electricity.

## **Regular Meeting Minutes – May 22, 2023**

### **Utilities**

Mr. Landrigan, Chair of the Committee, made the following comments:  
The May 8th planned electrical shut down on Main Street to replace an underground primary switch went as well as expected. After the crews had successfully restored power on Main Street, and were cleaning up the trucks to prepare to go home, there was an electrical outage in the Fairwood section that extended to Elm Street. The power outage was caused by a squirrel and full service was restored within one (1) hour. On Sunday, May 14th, the Stand-by Crew was called out twice to Maple Avenue, where squirrels had caused power outages. On Monday, May 15th, there was a power outage on Valvue Road, due to a power line getting tangled around the ground line. On Tuesday, May 16<sup>th</sup>, both crews performed mark-outs all day. PSE&G contracted a third party to drill 2" holes all around town to conduct soil sampling to make sure there are no chemical leaks detected in the soil. This procedure is a normal safety protocol and resulted in over 100 mark-outs being sent in within the course of three (3) days. On Wednesday, May 17th, the Electric Department assisted the Meter Department with changing out old meters to the new AML meters. Asplundh Tree Experts has finished line clearance on Ridgedale Avenue and is now working on Pomeroy, which will be completed soon. The Electric Department would like to thank Girl Scout Troop #7942 from Central Avenue School for writing eleven (11) wonderful thank-you cards telling us that we are the best Electric Department and thanking us for restoring their power so quickly after the tree fell on the JCP&L feeder line. They also gave us an impressive assortment of Girl Scout cookies! The Water Department repaired an eight (8) inch valve on Hillside Avenue at the intersection with Green Village Road. The valve had been damaged during the valve exercising program required by the NJDEP Water Quality Accountability Act. The Department also assisted the Fire Department by excavating a deep right angle trench, for Trench Rescue Training.

### **Public Safety**

Mr. Range, Chair of the Committee, made the following comments:  
The Madison Police Department will be having our onsite inspection on May 24th by the NJ Chiefs of Police Association as part of the final stages of our reaccreditation process. This is a long and strenuous task that our accreditation team has been working on for close to one year. Law enforcement accreditation is a self-initiated, voluntary process where agencies operate within a specific set of state- and nationally-recognized standards or best practices within the industry. Accrediting bodies compile these best practices and regulations into standards manuals. To maintain and prove compliance with these standards, agencies have to develop policies, training, and accountability for three things: High-liability areas (vehicle pursuits, vehicle operation, critical incident response, investigative techniques, use of force, etc.); Personnel management; and Evidence handling. The Fire Department responded to Central Avenue School for a faulty fire alarm, which was unable to be repaired. In an abundance of caution classes were canceled today. A new panel has been installed.

### **Health**

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

### **Finance and Borough Clerk**

Mr. Forte, Chair of the Committee, made the following comments:  
Mr. Forte noted that the Tax collector has a 98.75% of property tax payments received in the first quarter tax collection. On tonight's agenda there are two small insertions in the municipal budget, Resolutions 159-2023 and 165-2023, to account for grant funds received.

**Regular Meeting Minutes – May 22, 2023**

**COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

The Borough Clerk noted twenty-eight (28) emails received in support of the application for a grant from the Morris County Open Space Trust Fund to purchase and protect the Drew Forest and thanking the Mayor and Council for their efforts.

**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.**

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

**AGENDA DISCUSSIONS**

**05/22/2023-1 MORRIS COUNTY OPEN SPACE TRUST FUND GRANT APPLICATION**

Mayor Conley read Resolution 156-2023 by title and opened the hearing on the submission of an application to the Morris County Open Space Trust Fund for land acquisition funds.

**Barbara Heskins Davis; Vice President of The Land Conservancy of New Jersey** addressed the Council noting the application process for requesting funding from the Morris County Open Space Trust Fund. Ms. Davis explained why the property is important noting that it is the single largest undeveloped parcel in the Borough, providing recharge for the area's water supply.

**Lydia Chambers; Millbrook Drive, Vernon** noted over 80+ friends of the Drew Forest in attendance in support of the application to Morris County. Ms. Chambers added that seven nearby municipalities have also passed resolutions supporting preservation efforts, along with 15 environmental organizations including the Passaic River Coalition and the Sierra Club.

**Judy Kroll; Laurel Avenue**, thanked the Mayor and Council and those in attendance for their support of the Drew Forest, noting that the property is worth saving as an aquifer recharge area, as well as heat meditation for the entire area.

**Claire Whitcomb; Fairwood Road** noted the more than 15,000 signatures on the online petition to save the Drew Forest, and members of the public overflowing into the halls of Borough Hall, attesting to the importance the forest has to the community.

**Tom Salaki; Fairwood Road**, explained the importance of saving the Drew Forest for families and future generations.

**Sean Nevin; Loantaka Way**, encourage the Council to support the application for funding to save the Drew Forest noting the benefits to the entire community.

**Regular Meeting Minutes – May 22, 2023**

**Christine Clark; Jefferson, NJ** thanked the Mayor and Council and Friends of the Drew Forest for their support to save the biologic diversity and nobility of the forest for all.

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

Mayor Conley asked for a motion regarding Resolution 156-2023, noting the commitment of the Borough to preserve the forest for now and for the future.

R 156-2023 RESOLUTION OF THE BOROUGH OF MADISON CONVENING A PUBLIC HEARING ON THE SUBMISSION OF AN APPLICATION FOR FUNDING REGARDING AND AUTHORIZING THE 2023 SUBMISSION TO THE MORRIS COUNTY OPEN SPACE TRUST FUND FOR LAND ACQUISITION FUNDS TO PURCHASE A PORTION OF BLOCK 3001, LOT 1 CONSISTING OF APPROXIMATELY ±50 ACRES IN THE BOROUGH OF MADISON FROM ITS CURRENT OWNERS DREW UNIVERSITY

**WHEREAS**, the Borough of Madison intends to submit a grant application to the Morris County Office of Planning and Preservation for funding assistance through the Morris County Open Space Trust Fund; and

**WHEREAS**, the subject open space property is located on the campus of Drew University in the Borough of Madison; and

**WHEREAS**, the property is approximately ±50 acres in size and known as the “Drew Forest”; and

**WHEREAS**, the acquisition of the Drew Forest property for passive recreation and natural resource conservation will be a unique opportunity for the Borough to protect this regional environmental and public space; and

**WHEREAS**, the application process requires that the governing body conduct a public hearing on the application to be submitted to the Morris County Office of Planning and Preservation; and

**WHEREAS**, the Borough published a legal notice in the May 11, 2023 issue of the *Madison Eagle* advising the public that a hearing on the application would take place on the evening of May 22, 2023 and the hearing was held prior to the adoption of this resolution.

**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 Administration is hereby authorized to submit an application on behalf of the Borough of Madison for grant funding to the Morris County Open Space Trust Fund for land acquisition of ±50 acres which is a portion of Block 3001, Lot 1 in the Borough of Madison, said property being currently owned by Drew University and known as the “Drew Forest”.

**Regular Meeting Minutes – May 22, 2023**

Mr. Hoover moved adoption of Resolution 156-2023. Ms. Ehrlich seconded the motion. There was no further Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

**ADVERTISED HEARINGS**

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on April 26, 2023 and May 8, 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 28-2023**

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING OF  
CHAPTER 195-29.1 OF THE MADISON BOROUGH CODE ENTITLED  
“ZONING MAP” TO ADJUST THE CBD-1/CBD-2 ZONE LINE FOR  
BLOCK 1802, LOT 11**

**WHEREAS**, the Borough Council has determined that it would be advantageous to adjust the CBD-1 and CBD-2 district zone line on Block 1802, Lot 11 to facilitate preservation of the existing bank building and encourage inclusionary development consistent with the bulk and use requirements of the CBD-2 District; and

**WHEREAS**, the Borough Master Plan and Housing Element and Fair Share Plan encourage a variety of housing types, inclusionary development and mixed-use development in appropriate locations, including the downtown; and

**WHEREAS**, Borough Planner Dr. Susan Blickstein and Zoning Officer/Asst. Borough Engineer Dennis Harrington recommend this zoning change.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Madison and the County of Morris and State of New Jersey, that the Zoning Map of the Borough of Madison is hereby amended as attached.

Mayor Conley opened up the public hearing on Ordinance 28-2023. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Landrigan moved that Ordinance 28-2023, which was read by title, be finally adopted. Mr. Range seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

**Regular Meeting Minutes – May 22, 2023**

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

Mayor Conley declared Ordinance 28-2023 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 29-2023**  
**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING**  
**\$250,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND**  
**FOR THE PURCHASE OF POLE TOP CAPACITOR BANKS AND**  
**ACCESSORIES**

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$250,000.00 from the Electric Capital Improvement Fund for the purchase of Pole Top Capacitor Banks and Accessories; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$250,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$250,000.00 from the Electric Capital Improvement Fund for the purchase of Pole Top Capacitor Banks and Accessories.

**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 \$250,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of Pole Top Capacitor Banks and Accessories.

**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 29-2023. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Landrigan moved that Ordinance 29-2023, which was read by title, be finally 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, Mr. Forte  
Nays: None

**Regular Meeting Minutes – May 22, 2023**

Mayor Conley declared Ordinance 29-2023 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 30-2023  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER  
94 OF THE MADISON BOROUGH CODE ENTITLED “ELECTRIC  
UTILITY” TO UPDATE THE ELECTRIC CONNECTION FEE SCHEDULE**

**WHEREAS**, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 94 of the Madison Borough Code entitled “Electric” to include an updated electric connection fee schedule; and

**WHEREAS**, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users, and based on such study has recommended an electric utility connection fee in the amount of \$3,023.00 for new customers.

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

**SECTION 1:** Chapter 94-8 of the Madison Borough Code, currently entitled “Connection fee” is hereby amended as follows:

§ Chapter 94-8

A. There shall be an electric utility connection fee established in accordance with Chapter 62 of Title 40 of the Revised Statutes of the State of New Jersey. This connection fee is in addition to the fees for department services set forth in Chapter 94 of the Borough Code. The electric connection fee is effective July 1, 2023 and shall be:

(1) For single family dwelling units, \$3023, and for multiple dwelling units, \$3,023 per unit.

(2) In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an average annual consumption of 9,000 kWh.

B. This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The electric utility connection fee shall be payable in full to the Borough of Madison at the time a building electric connection permit is issued for connection to the municipal electric distribution system by the Borough of Madison.

**Regular Meeting Minutes – May 22, 2023**

SECTION 2: This Ordinance shall take effect on July 1, 2023.

Mayor Conley opened up the public hearing on Ordinance 30-2023. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 30-2023, 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, Mr. Forte  
Nays: None

Mayor Conley declared Ordinance 30-2023 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 31-2023  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER  
190 OF THE MADISON BOROUGH CODE ENTITLED “WATER” TO  
UPDATE THE WATER CONNECTION FEE SCHEDULE**

WHEREAS, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 190 of the Madison Borough Code entitled “Water” to include an updated water connection fee schedule; and

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2022, and based on such study has recommended a water connection fee in the amount of \$4,518.00 for new customers; and

WHEREAS, such water connection fee is authorized by N.J.S.A. 40A:31-11 entitled “County and Municipal Water Supply”.

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

SECTION 1: Chapter 190-11.2 of the Madison Borough Code, currently entitled “Connection fee” is hereby amended as follows:

§190-11.2 Connection fee

There shall be a water connection fee established in accordance with N.J.S.A. 40A:31-11 in addition to the fees for department services set forth in Section 190-33. The water connection fee effective July 1, 2023 shall be:

- A. For single family dwelling units, \$4,518.00, and for multiple dwelling units, \$4,518.00 per unit.

**Regular Meeting Minutes – May 22, 2023**

- B. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 245 gallons or fraction thereof: \$4,518.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The water connection fee shall be payable in full to the Borough of Madison at the time a building water connection permit is issued for connection to the municipal water system by the Borough of Madison.

**SECTION 2:** This Ordinance shall take effect on July 1, 2023.

Mayor Conley opened up the public hearing on Ordinance 31-2023. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 31-2023, 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, Mr. Forte  
Nays: None

Mayor Conley declared Ordinance 31-2023 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 32-2023  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER  
155 OF THE MADISON BOROUGH CODE ENTITLED “SEWER” TO  
UPDATE THE SEWER CONNECTION FEE SCHEDULE**

**WHEREAS**, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 155 of the Madison Borough Code entitled “Sewer” to include an updated sewer connection fee schedule; and

**WHEREAS**, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2022,

**Regular Meeting Minutes – May 22, 2023**

and based on such study has recommended a sewer connection fee in the amount of \$6,726.00 for new customers; and

**WHEREAS**, such sewer connection fee is authorized by N.J.S.A. 40A:26A-11 entitled “Municipal and County Sewerage Facilities”.

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

**SECTION 1:** Chapter 155-4A of the Madison Borough Code, currently entitled “Connection expenses; responsibility for maintenance, repair and replacement of laterals” is hereby amended as follows:

§155-4 Connection fees; connection expenses; responsibility for maintenance, repair and replacement of laterals.

A. Sewer connection fees.

There shall be a basic connection fee established in accordance with N.J.S.A. 40A:26A-11. The sewer connection fee effective July 1, 2023 shall be:

1. For single-family dwelling units, \$6,726.00, and for multiple dwelling units, \$6,726.00 per unit.
2. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 262 gallons or fraction thereof: \$6,726.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The sewer connection fee is based upon the usage of a single dwelling unit or equivalent discharge. The sewer connection fee shall be payable in full to the Borough of Madison at the time a building sewer permit is issued for connection to the public sanitary sewer by the Borough of Madison.

**SECTION 2:** This Ordinance shall take effect on July 1, 2023.

Mayor Conley opened up the public hearing on Ordinance 32-2023. Since no member of the public wished to be heard, the public hearing was closed.

**Regular Meeting Minutes – May 22, 2023**

Ms. Ehrlich moved that Ordinance 32-2023, 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, Mr. Forte

Nays: None

Mayor Conley declared Ordinance 32-2023 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 33-2023**

**BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A CARPORT WITH ROOF-MOUNTED SOLAR PANELS AT THE MADISON RECREATION COMPLEX IN, BY AND FOR THE ELECTRIC UTILITY OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,000,000 TO PAY THE COST THEREOF, TO APPROPRIATE ELECTRIC UTILITY RESERVE FUND MONEYS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

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

Section 1. The Borough of Madison, in the County of Morris, State of New Jersey (the "Borough") is hereby authorized to construct a carport with roof-mounted solar panels at the Madison Recreation Complex in, by and for the Electric Utility of the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$2,000,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the Electric Utility Reserve Fund moneys appropriated, by this ordinance. It is anticipated that Federal grant or subsidy payment funds shall be received by the Borough to finance the cost of said purpose.

**Regular Meeting Minutes – May 22, 2023**

Said grant or subsidy payment funds shall be applied as set forth in Section 11 hereof. No down payment is required for this bond ordinance pursuant to the provisions of N.J.S.A. 40A:2-11(c) and 40A:2-7(h). Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$2,000,000, and (4) \$1,300,000 of said sum is to be provided by the Electric Utility Reserve Fund moneys hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$700,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$5,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. The sum of \$1,300,000 available in the Reserve for Sustainability Projects in the Borough's Electric Utility is hereby appropriated to the payment of the cost of said purpose.

Section 5. It is hereby determined and stated that the Electric Utility would have been self-

**Regular Meeting Minutes – May 22, 2023**

liquidating, as defined in Section 47(a) of the Local Bond Law, during the fiscal year beginning January 1, 2022, had there been included in the interest and debt redemption charges for such year an amount equal to interest for one year at the rate of four and one half percentum (4½%) per annum on said bonds or notes, and the amount of the first installment of serial bonds legally issuable to finance such purpose plus an amount for charges as aforesaid with respect to all bonds and notes authorized but not issued for such Electric Utility.

Section 6. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$700,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 7. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$700,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than

**Regular Meeting Minutes – May 22, 2023**

the amount of such excess, be applied to the payment of such notes then outstanding.

Section 8. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 9. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 10. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$700,000, but said \$700,000 shall be deducted from gross debt pursuant

**Regular Meeting Minutes – May 22, 2023**

to Section 44(c) of the Local Bond Law and that the issuance of the bonds and notes authorized by this ordinance is permitted by an exception to the debt limitations prescribed by the Local Bond Law as provided in Sections 47(a) and 7(h) of the Local Bond Law.

Section 11. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 12. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of

**Regular Meeting Minutes – May 22, 2023**

the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Conley opened up the public hearing on Ordinance 33-2023. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 33-2023, 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, Mr. Forte

Nays: None

Mayor Conley declared Ordinance 33-2023 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 34-2023  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$100,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
THE MRC BASKETBALL/PICKLEBALL COURT CONSTRUCTION  
PROJECT**

**WHEREAS**, Ordinance 9-2023 appropriated \$240,000.00 from the Open Space Recreation and Historic Preservation Trust Fund for the MRC Basketball/Pickleball court construction project; and

**WHEREAS**, the Borough Administrator has recommended that the funding be increased by \$100,000.00 as a supplemental appropriation for the MRC Basketball/Pickleball court construction project; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund Trust Fund in an amount not to exceed \$100,000.00 for this purpose; and

**Regular Meeting Minutes – May 22, 2023**

**WHEREAS**, the Borough Council has determined that the Borough should appropriate an additional \$100,000.00 from the General Capital Improvement Fund for the MRC Basketball/Pickleball court construction 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 \$340,000.00 is hereby appropriated from the General Capital Improvement Fund for the MRC Basketball/Pickleball court construction 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.

Mayor Conley opened up the public hearing on Ordinance 34-2023. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 34-2023, 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, Mr. Forte  
Nays: None

Mayor Conley declared Ordinance 34-2023 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

***INVITATION FOR 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***, asked about tree removal at the MRC Pickball/Basketball court project and noted that Madison is a finalist in one of only five Sustainable Jersey \$20,000 grants for the Green Infrastructure Planning and Implementation. Ms. Whitcomb stated that she is pleased that Madison is taking this leadership role.

***INTRODUCTION OF ORDINANCES***

**The Clerk made the following statement:**

The ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of June 12, 2023 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

**Regular Meeting Minutes – May 22, 2023**

to the Borough offices and be made available to members of the public requesting same, as required by law.

Mayor Conley called up Ordinance 35-2023 for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 35-2023 ORDINANCE THE BOROUGH OF MADISON AMENDING CHAPTER 195 OF THE MADISON BOROUGH CODE ENTITLED “LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF MADISON” TO INCREASE RESIDENTIAL AFFORDABLE HOUSING DEVELOPMENT FEES

**WHEREAS**, the Borough Administrator recommends that the Madison Land Development Ordinance be amended to increase affordable housing development fees in regard to eligible residential development projects within the Borough.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey that:

**SECTION 1:** Article VIII, Section 195-46 of the Borough Code, entitled "Affordable Housing Development Fees" shall be amended as follows:

**ARTICLE VIII**

**Affordable Housing Development Fees**

Section 195-46: **Affordable Housing Development Fees**

**D. Residential Development fees**

- (1) Within all zoning districts(s) Developers of new residential housing, which shall include any residential development on an existing lot on which a former residential structure was located, within the Borough shall pay a fee of one and a half (1½) percent of the equalized assessed value for residential development, provided no increased density is permitted.

**SECTION 2:** This ordinance shall take effect as provided by law.

Mr. Ranger moved that Ordinance 35-2023, 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, Mr. Forte  
Nays: None

**CONSENT AGENDA RESOLUTIONS**

**The Clerk made the following statement:**

**Regular Meeting Minutes – May 22, 2023**

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. 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, Mr. Forte

Nays: None

R 156-2023 RESOLUTION OF THE BOROUGH OF MADISON CONVENING A PUBLIC HEARING ON THE SUBMISSION OF AN APPLICATION FOR FUNDING REGARDING AND AUTHORIZING THE 2023 SUBMISSION TO THE MORRIS COUNTY OPEN SPACE TRUST FUND FOR LAND ACQUISITION FUNDS TO PURCHASE A PORTION OF BLOCK 3001, LOT 1 CONSISTING OF APPROXIMATELY ±50 ACRES IN THE BOROUGH OF MADISON FROM ITS CURRENT OWNERS DREW UNIVERSITY

Listed previously

R 157-2023 RESOLUTION OF THE BOROUGH OF MADISON GRANTING THE MOMS DEMAND ACTION FOR GUN SENSE IN AMERICA PERMISSION TO TIE ORANGE RIBBONS AROUND TREES ON THE STREETS OF MADISON FROM JUNE 1, 2023 THROUGH JUNE 10, 2023 IN SUPPORT OF NATIONAL GUN VIOLENCE AWARENESS DAY

**WHEREAS**, the members of Moms Demand Action for Gun Sense in America have requested permission for orange ribbons to be tied on Borough street trees on the main streets of the Borough from June 1, 2023 to June 10, 2023 in support of National Gun Violence Awareness Day, June 2, 2023; and

**WHEREAS**, the Borough Council has determined to grant this request with the understanding that the ribbons be removed promptly after June 10, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request for orange ribbons to be tied on Borough street trees from June 1, 2023 to June 10, 2023 in support of the National Gun Violence Awareness Day, June 2, 2023, is hereby approved.

R 158-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH GOLDMAN BUILDERS, INC. FOR PARKING SPACES

**WHEREAS**, the Borough wishes to enter into a Lease Agreement with Goldman Builders, Inc. in regard to leasing twelve (12) courtesy parking spaces

**Regular Meeting Minutes – May 22, 2023**

dedicated to merchants on private property located at 14 Main Street during the construction of the adjacent Cook Avenue Parking lot project; and

**WHEREAS**, the Borough has determined that it is in the best interest of the public to execute such Lease.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Mayor and the Borough Clerk are authorized to sign the Lease Agreement with Goldman Builders, Inc., including the terms and conditions set forth therein, and in a form acceptable to the Borough Attorney.

R 159-2023 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2023 - AMERICAN RESCUE PLAN FIREFIGHTER 2022 GRANT

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Madison will receive \$22,000.00 from the American Rescue Plan Firefighters 2022 Grant and wishes to amend its 2023 Budget to include an \$22,000.00 increase in grant funds as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$22,000.00, which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations; and

**BE IT FURTHER RESOLVED** that the like sum of \$22,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 3.5% Caps

State and Federal programs Off-set by Revenues:

American Rescue Plan Firefighter2022 Grant –

Other Expenses \$22,000.00

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

**Regular Meeting Minutes – May 22, 2023**

**R 160-2023 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF HANNAH BOLSTER AS INTERN IN THE CONSTRUCTION DEPARTMENT**

**WHEREAS**, the Director of Personnel has recommended the appointment of Ms. Hannah Bolster, as an Intern in the Construction Department; and

**WHEREAS**, the Borough Council agrees with this recommendation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Ms. Hannah Bolster, as an Intern in the Construction Department, effective June 5, 2023 at the rate of pay of \$16.00 per hour, is hereby approved.

**R 161-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARING CONTRACT FOR THE MADISON RECREATION COMPLEX (MRC) MULTIPURPOSE COURT PROJECT**

**WHEREAS**, the Borough of Madison publicly advertised for bids for the construction of the MRC Multipurpose Court Project to be located at Madison Recreation Complex in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, one bid was submitted by Halecon, Inc., in the amount of \$328,450.00; and

**WHEREAS**, the Qualified Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Halecon, Inc., in the amount of \$328,450.00; and

**WHEREAS**, the Chief financial Officer has attested that funds will be available in an amount not to exceed \$328,450.00 for this purpose in Ordinances 9-2023 and 34-2023.

**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 construction of the MRC Multipurpose Court Project to be located at the Madison Recreation Complex is hereby awarded to Halecon, Inc., based upon its bid in the amount of \$328,450.00.

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

**Regular Meeting Minutes – May 22, 2023**

**R 162-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO INDEPENDENCE CONSTRUCTORS FOR THE PURCHASE OF THE FUELFORCE FUEL MANAGEMENT SYSTEM UNDER SOURCEWELL**

**WHEREAS**, the Borough of Madison desires to award a contract for the purchase the Fuelforce Fuel Management System under Sourcewell; and

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

**WHEREAS**, Independence Constructors, of Bridgewater, N.J. has been awarded Sourcewell contract #092920-MTF; and

**WHEREAS**, the Director of Public Works and the Qualified Purchasing Agent have recommended that the Borough Council utilize this contract for the purchase of the Fuelforce Fuel Management System in the amount of \$18,068.00; and

**WHEREAS**, the Qualified Purchasing Agent complied with all statutory requirements to utilize a national cooperative purchasing entity; and

**WHEREAS**, funds are available in the 2023 Municipal Budget/Account460/Fuel, 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, that a contract be awarded to Independence Constructors of Bridgewater, N.J. for the purchase of the Fuelforce Fuel Management System in the amount of \$18,068.00 under Sourcewell contract #092920-MTF, and same is hereby ratified and approved.

**R 163-2023 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF SUMMER INTERN POSITIONS IN THE HEALTH DEPARTMENT**

**WHEREAS**, the Acting Health Director has recommended the appointment of Casey Lens and Mikayla Udrija as part-time Summer Interns, to conduct an animal census for the Health Department; and

**WHEREAS**, the Borough Council agrees with this recommendation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Casey Lens and Mikayla Udrija as part-time Summer Interns, to conduct an animal census for the Health Department, at the rate of pay of \$16.00 per hour, is hereby approved. The start date to be determined by the Board of Health.

**Regular Meeting Minutes – May 22, 2023**

R 164-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING LEASE OF TWO (2) COPIER MACHINES FOR THE BUILDING DEPARTMENT AND PURCHASING DEPARTMENT THROUGH THE NEW JERSEY COOPERATIVE PRICING SYSTEM

**WHEREAS**, the Borough of Madison desires to award a contract for the lease of two (2) copier machines for the Building Department and Purchasing Department under 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**, Ricoh, USA of Parsippany, New Jersey, has been awarded the New Jersey Cooperative Pricing System contract number G2075/40467, Copiers & Multi-function Devices; and

**WHEREAS**, the Borough Qualified Purchasing Agenda/ has recommended that the Borough Council utilize this contract for the lease of two (2) copiers; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$293.39/month for this purpose in the 2023 operating budget.

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

1. A contract with Ricoh USA for the lease of two (2) copier machines for the Building Department and Purchasing Department, in an amount not to exceed \$293.39/month for 60 months is hereby approved contingent upon adequate funding therefore in subsequent municipal budgets for the term of the lease.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Ricoh, USA of Parsippany, New Jersey, for two (2) copier machines for the Building Department and Purchasing Department, in a form acceptable to the Borough Attorney.

R 165-2023 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2023 – CLEAN COMMUNITIES GRANT

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**Regular Meeting Minutes – May 22, 2023**

**WHEREAS**, the Borough of Madison will receive \$34,138.94 from the State of New Jersey Clean Communities Grant and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$34,138.94, which item is now available as a revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with Prior Written Consent  
of  
the Director of Local Government Services:  
State and Federal Revenues Off-Set with Appropriations; and

**BE IT FURTHER RESOLVED** that the like sum of \$34,138.94 is hereby appropriated under the caption of:

General Appropriations  
(a) Operation Excluded from 3.5% Caps  
State and Federal programs Off-set by Revenues:  
State of New Jersey Clean Communities Grant –  
Other Expenses \$34,138.94

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

R 166-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO EXTRA DUTY SOLUTIONS OF SHELTON, CT FOR POLICE OUTSIDE DUTY MANAGEMENT SERVICES

**WHEREAS**, Resolution 107-2022 authorized the use of competitive contracting for Police Outside Duty Management Services; and

**WHEREAS**, the Borough publicly advertised for the receipt of competitive proposals through a Request for Proposal (RFP) process; and

**WHEREAS**, two (2) proposals were submitted:

**Vendor:**

Off Duty Management  
1906 Avenue D, #200  
Katy, TX 77493

Extra Duty Solutions  
1 Waterview Dr, Suite 101  
Shelton, CT 06484

**Regular Meeting Minutes – May 22, 2023**

**WHEREAS**, an evaluation committee was established to review the proposals; and

**WHEREAS**, based on the criteria used to evaluate the proposals, the committee recommends awarding a contract to Extra Duty Solutions of Shelton, CT.

**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 hereby authorized to execute, on behalf of the Borough, a contract for Police Outside Duty Management Services with Extra Duty Solutions of Shelton, CT, such contract to be in a form approved by the Borough Attorney. The Borough will not incur any costs associated with this contract as the fees will be charged to customers who utilize the services of the Madison Police Department for off duty work.

R 167-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE SHAKESPEARE THEATRE OF NEW JERSEY INC.

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

**Shakespeare Theatre of New Jersey Inc.**

I.D. No. 274-5-32247  
R.A. No. 1547 – Off-Premise Merchandise  
Date of Raffle – January 3, 2024

R 168-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO TOREY J. SABATINI SCHOOL

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

**PTO Torey J. Sabatini School**

I.D. No. 274-5-33160  
R.A. No. 1548 – On-Premise Merchandise  
Date of Raffle – June 9, 2023

**Regular Meeting Minutes – May 22, 2023**

R 169-2023 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING EILEEN REGELING TO THE POSITION OF OFFICE ASSISTANT, BUILDING DEPARTMENT

**WHEREAS**, the Personnel Director recommends the appointment of Eileen Regeling of Lafayette, N.J., to fill the full-time position of Office Assistant, Building Department; and,

**WHEREAS**, the Council concurs 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 Eileen Regeling is hereby appointed to the position of Office Assistant, Building Department, effective immediately following the successful results of a background check.

**BE IT FURTHER RESOLVED** that Ms. Regeling be compensated at the annual salary of \$54,000.00, with an additional automatic compensation increase of \$3,000.00 when Technical Assistant to the Construction Code Official (TACO) certification is secured.

R 170-2023 RESOLUTION OF THE BOROUGH OF MADISON RECOGNIZING THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE OCTOBER 2020 TO JUNE 2025

R 171-2023 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF JOSH PETERSON AND VALENTINA PELUSO AS PART-TIME, UNPAID INTERNS FOR THE FARMERS' MARKET

**FORM 1B**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of Madison, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Morris;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Madison, County of Morris, State of New Jersey hereby recognizes the following:

**Regular Meeting Minutes – May 22, 2023**

1. The Borough Council does hereby authorize submission of a strategic plan for the Madison Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$	6,610.00
Cash Match	\$	1,652.50
In-Kind	\$	4,957.50

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**R 171-2023 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF JOSH PETERSON AND VALENTINA PELUSO AS PART-TIME, UNPAID INTERNS FOR THE FARMERS' MARKET**

**WHEREAS**, the Director of Business Development and CFO/Asst. Borough Administrator have recommended the appointment of Josh Peterson and Valentina Peluso as part-time unpaid Interns for the Madison Farmers' Market; and

**WHEREAS**, the Borough Council agrees with this recommendation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Josh Peterson and Valentina Peluso, as part-time unpaid Interns for the Madison Farmers' Market, is hereby approved.

***UNFINISHED BUSINESS*** - None

***APPROVAL OF VOUCHERS***

On motion by Mr. Hoover, seconded by Ms. Ehrlich 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	\$6,913,167.66
General Capital Fund	12,595.02
Electric Operating Fund	169,133.30
Electric Capital Fund	3,450.00
Water Operating Fund	22,699.99
Water Capital Fund	42,000.00
Trusts	<u>11,217.20</u>
Total	<u>\$7,174,263.17</u>

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

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

Nays: None

**Regular Meeting Minutes – May 22, 2023**

**NEW BUSINESS**

Mayor Conley announced the following appointment:

PLANNING BOARD

John Morris, Bedford Court, Class IV Member, unexpired four year term through December 31, 2026

Mayor Conley announced the following appointments and requests Council confirmation:

ZONING BOARD OF ADJUSTMENT

Unexpired four-year term through December 31, 2024  
Adrienne Novak, East Lane, Regular member

Unexpired two-year term through December 31, 2023  
Matthew Salko, Prospect Street, Alt. # 1 member

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

**ADJOURN**

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

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved June 12, 2023 (EO)