

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

May 27, 2020 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 27th day of May, 2020. Mayor Conley called the meeting to order at 6:00 p.m. via teleconference.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 10, 2020. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale

Astri J. Baillie

Maureen Byrne

John F. Hoover

Debra J. Coen

Rachael Ehrlich

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Ms. Baillie moved:

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

MINUTES FOR APPROVAL (1)

April 13, 2020

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

CONTRACT MATTERS (1)

BURNET ROAD RECONSTRUCTION PROJECT

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

Regular Meeting Minutes – May 27, 2020

LITIGATION MATTERS (2)

AFFORDABLE HOUSING UPDATE

SETTLEMENT AGREEMENT AND RELEASE

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

PERSONNEL MATTERS (3)

SUMMER INTERN-DPW, ELECTRIC UTILITY

PUBLIC SAFETY TELECOMMUNICATIONS OFFICER

PERSONNEL DIRECTOR/QPA

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

Seconded: Mrs. Vitale

Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 7 p.m. in the Council Chamber with all members present via teleconference. The Pledge of Allegiance was recited by all.

The Mayor and Council gave the following shout outs of thanks to:

Patriotic Celebrations

Mail Carrier, Patrick Mitchell of Union, NJ spotted two individuals who were stealing a package from a front door stoop. Mr. Mitchell yelled at them, they dropped the package, got into their car and drove off. Mr. Mitchell then called the police and notified the neighbors.

Joe Calangelo – BoxCar

Restaurants, especially those supporting FLAG

Churches with remote services

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Budget Meeting Minutes of March 2, 2020**.

Mrs. Vitale seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Baillie moved approval of the **Executive Minutes of April 13, 2020**. Mrs. Vitale seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Baillie moved approval of the **Regular Meeting Minutes of April 13, 2020**.

Mrs. Vitale seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Baillie moved approval of the **Special Meeting Minutes of May 1, 2020**.

Mrs. Vitale seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley presented a National Gun Violence Awareness Day Proclamation virtually to Theresa Turco of Moms Demand Action for Gun Sense in America.

Mayor Conley presented a Pride Month Proclamation virtually to MHS staff members Nancy and Gina O'Brien.

Regular Meeting Minutes – May 27, 2020

REPORTS OF COMMITTEES

Finance and Borough Clerk

Mrs. Vitale, Chair of the Committee, made the following comments:

Mrs. Vitale reported that the Tax Collector has received 94.6% of the 2nd quarter taxes due May 1st. The Electric Utility is reporting that billing is down 7% due to the COVID-19 pandemic. Most likely due to offices unoccupied. The new online payment system is now available, including payments by credit card for a fee. Residents can visit rosenet.org for additional information.

Public Safety

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

The Madison Police Department will resume normal patrol schedules and staffing this week. Although normal patrol operations will resume, pandemic procedures put into operation to protect the staff and community will continue to be followed.

The Morris County Police Academy will resume operations on or about June 1st. The Borough Administration had previously given conditional offers of employment to three outstanding recruits prior to the COVID-19 pandemic. The three recruits will be graduating the police academy in July and will start their field training with the department immediately thereafter. The Open Space Committee encourages resident to take the online Master Plan survey. Public input is very important. Tonight there are two requests for Open Space funds for grant applications for the Plaza at the Hartley Dodge Memorial and the Madison Masonic Lodge

Public Works and Engineering

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

The Engineering Department completed paving of Cross Gates, East Lane, West Lane, Peachtree Road and the annexed portions of Alma, Rachael and Roscoe. The company also performed curb and property cleanup after the past month of road resurfacing work. A dual Electric Vehicle charging station was energized in the Maple Avenue and Prospect Street lots with Electric/Building/DPW assistance. Preconstruction meetings with Midwest Construction for Glenwild Road, Albright Circle and Beverly Road are scheduled this week. A Complete Streets Committee meeting is scheduled via video conference on June 3rd at 7:30 a.m.

Community Affairs

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

Mr. Hoover noted that shopping through the Senior Shopping network has declined. The new MACA website continues to evolve. A few more musicians have been added to the Featured Artists. There is also a donate button to benefit Madison small businesses. Discussions to explore presenting outdoor concerts during the current situation continue, including drive-in concerts at one of the larger borough facilities, such as, the MRC, Community Pool, High School, etc. We are also discussing "live streaming" from the Arts Center. The Downtown Development Commission, small business grant program has begun with the goal to raise a minimum of \$200,000.00. The Madison Main Street Foundation, a registered 501(c)(3), will match the first \$50,000.00 on a 1:1 basis. We need your support to reach our goal. Please consider making a donation today. All contributions are tax deductible. For the Recreation Advisory Committee. Mr. Hoover reported that the YMCA has asked to use the fields at Lucy D. Field for summer camps and fall sporting schedules should be distributed soon.

Regular Meeting Minutes – May 27, 2020

Health

Ms. Coen, Chair of the Committee, made the following comments:
Borough Public Health Nurse Marlene Dolan was named to the 2020 Influenza Honor Roll. Non Essential Businesses can now offer curbside pickup. The Borough has 133 reported cases of COVID-19, as of today, with general testing not an issue. Residents are encouraged to get tested even if asymptomatic. Don't delay getting health care, including children's' vaccines. Stay home if you don't feel well, social distance if you do have to leave your home, wash hands often, don't touch your face. Stay connected via virtual visits.

Utilities

Ms. Ehrlich, Chair of the Committee, made the following comments:
The Electric Department assisted our Construction Official, Russ Brown, in wiring the new Charging Station in the Kings Road Parking lot. The Charging Station is now up and running—an exciting milestone for energy transformation in Madison. The Department is continuing to install LED lights on Central Avenue and Ridgedale Avenue as well as repairing street light outages throughout town based on a list generated by the police department. The stand-by crew was called out three times over the last two weeks to restore a tripped fuse, remove a large tree limb from overhead wires, and secure telecom wires that had been taken down by a truck. The Department also replaced two utility poles that had been aging or damaged. The Water Main reconstruction project of Highland Avenue, from Brittin Street to Rosedale Avenue, is on schedule. The new 8-inch Water Main and Fire Hydrant have been installed and tested. After new water services are installed to customer's homes, the final connection of the new main at the intersection of Highland Avenue and Brittin Street will complete the construction. The Cole Park decorative fountain has been turned for the season. I thought it was notable that this fountain uses recycled water for its operation.

COMMUNICATIONS AND PETITIONS - None

INVITATION FOR DISCUSSION (1 of 2)

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

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

AGENDA DISCUSSIONS

05/27/2020-1 SIDEWALK DINING

Mayor Conley provided explanation of outdoor dining procedures for local restaurant as the State moves to Phase II reopening from the COVID-19 pandemic shut down.

05/27/2020-2 OPEN SPACE TRUST FUND REQUESTS

Ms. Baillie provided information regarding requests for Open Space funding noting one request for matching funds from the Museum of Early Trades & Crafts for a NJ Historic Preservation grant and the second request to replace the fence at the Luke Miller House on Ridgedale Avenue. There were no objections to listing ordinances for introduction.

Regular Meeting Minutes – May 27, 2020

Ordinance 16-2020 and 17-2020 are listed for Introduction.

05/27/2020-3 FARMERS' MARKET

Lisa Ellis, Director of Business Development noted a new location for this year's Farmers' Market on Dodge Field as well as guidelines for COVID-19 related safety issues.

Resolution 149-2020 is listed on the Consent Agenda.

05/27/2020-4 PRIMARY ELECTION UPDATE

Borough Clerk provided information regarding the July 7th Primary Election which will be conducted primarily via vote-by-mail ballots. All active Republicans and Democrats will automatically receive a vote-by-mail ballot. All unaffiliated voters will receive a special vote-by-mail application which requires the voter to complete, select a party and return the application to the County Clerk's Office before a ballot is issued. Each municipality will have one (1) consolidated polling location. Any voter who appears at a polling place on the day of the July Primary Election shall vote by Provisional Ballot, except that a voter with disabilities may vote on an ADA-accessible voting machine. Vote-by-mail ballots cannot be dropped off at the polling location on Election Day. Mail in Ballots all have prepaid postage and drop boxes will also be provided throughout Morris County.

ADVERTISED HEARINGS

The Clerk made the following statement:

The ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on Mya 11, 2020, was 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 Ordinance 15-2020 for second reading and asked the Clerk to read said ordinances by title:

ORDINANCE 15-2020

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$12,500.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF NEW FIREFIGHTER TURNOUT GEAR

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$12,500.00 from the General Capital Improvement Fund towards the purchase of new sets of firefighting turnout gear 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 \$12,500.00 from the General Capital Improvement Fund towards the purchase of new sets of firefighting turnout gear 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:

Regular Meeting Minutes – May 27, 2020

SECTION 1: The amount of \$12,500.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of new sets of firefighting turnout gear 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.

Mayor Conley opened up the public hearing on Ordinance 15-2020. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 15-2020, which was read by title, be finally adopted. Ms. Ehrlich seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 15-2020 adopted and fully passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

INVITATION FOR DISCUSSION (2 of 2)

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

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

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

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of June 22, 2020 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 16-2020 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$9,581.00 FROM THE MUNICIPAL OPEN SPACE TRUST
FUND AS MATCHING FUNDS FOR REPLACEMENT OF THE LUKE MILLER
HOUSE FENCE

Regular Meeting Minutes – May 27, 2020

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to provide funds for replacement of the deteriorating fence at the historic Luke Miller House; and

WHEREAS, the cost of replacement is shared by the homeowner; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$9,581.00 from the Open Space Trust Fund for the shared replacement cost of the fence; and

WHEREAS, the Open Space Advisory Committee approved this funding recommendation at their regularly scheduled meeting on May 13, 2020; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$9,581.00 for this purpose in the Open Space Trust Fund. **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 \$9,581.00 is hereby appropriated from the Open Space Trust Fund as shared funds for replacement of the fence at the Luke Miller house.

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

Ms. Baillie moved that Ordinance 16-2020, which the Borough Clerk read by title, be adopted. Ms. Ehrlich seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 17-2020 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$10,000.00. FROM THE MUNICIPAL OPEN SPACE TRUST
FUND AS MATCHING FUNDS FOR A FEASIBILITY STUDY AND
CONSTRUCTION DOCUMENTS AT THE MUSEUM OF EARLY TRADES &
CRAFTS

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to provide matching funds for a feasibility study and construction documents for repairs to the lower level at the Museum of Early Trades & Crafts (METC); and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$10,000.00 from the Open Space Trust Fund to satisfy a match requirement for the NJ Historic Trust grant; and

Regular Meeting Minutes – May 27, 2020

WHEREAS, the Open Space Advisory Committee has unanimously recommended the full funding of this request; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$10,000.00 for this purpose in the Open Space Trust Fund.

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 \$10,000.00 is hereby appropriated from the Open Space Trust Fund contingent upon the award of a NJ Historic Trust grant for the Museum of Early Trades & Crafts (METC).

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

Ms. Baillie moved that Ordinance 17-2020, which the Borough Clerk read by title, be adopted. Ms. Ehrlich seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mrs. Vitale moved adoption of the Resolutions listed on the Consent Agenda. Ms. Baillie seconded the motion. Ms. Baillie abstained from voting on Resolution 150-2020. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

R 145-2020 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF JOHN CERUTTI TO THE SUMMER INTERN POSITION IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the QPA/Personnel Director has recommended appointment of John Cerutti to the position of Summer Intern in the Public Works department; and

WHEREAS, the Borough Council agrees with these recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that John Cerutti is hereby appointed to the position of Summer Intern in the Public Works Department

Regular Meeting Minutes – May 27, 2020

effective June 8, 2020 at the rate of pay of \$12.00 per hour. The work schedule is subject to revision based on the Declaration of Emergency regarding the COVID-19 pandemic.

R 146-2020 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING THOMAS A. MEDER, JR. TO THE POSITION OF PUBLIC SAFETY TELECOMMUNICATIONS OFFICER

WHEREAS, the Chief of the Madison Police Department recommends the appointment of Thomas A. Meder, Jr. to the position of Public Safety Telecommunications Officer; and

WHEREAS, the Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Thomas A. Meder, Jr. is hereby appointed to the position of Public Safety Telecommunications Officer effective immediately; and

BE IT FURTHER RESOLVED, that Thomas A. Meder, Jr. be compensated at the annual salary of \$35,000.00.

R 147-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT AND RELEASE AGREEMENT WITH VINCE AUTO SALES, LLC d/b/a, MADISON HONDA, LLC

WHEREAS, the Borough Counsel has negotiated a settlement with Vince Auto Sales LLC d/b/a Madison Honda, LLC and Post & Kelly Electric Company, Inc. for fire code violations; and

WHEREAS, the Borough Administrator has recommended the final settlement of the matter.

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 Settlement and Release Agreement as described herein is approved and the Mayor and Borough Clerk, are authorized to execute same.

R 148-2020 RESOLUTION OF THE BOROUGH OF MADISON ESTABLISHING A POLICY FOR THE JACOB HENRY PERKINS TRUST

WHEREAS, the CFO/Assistant Borough Administrator has recommended the Borough establish a policy for disbursements from the Jacob Henry Perkins Trust; and

WHEREAS, the Jacob Henry Perkins Trust is an investment account that generates annual distributions available to assist Madison families in need: and

Regular Meeting Minutes – May 27, 2020

WHEREAS, the established policies are as follows:

Policies for disbursements from the Jacob Henry Perkins Trust

- 1.** Such use for housing, support or relief as approved by the governing Body consistent with the purposes of the Trust.
- 2.** Funds from the Trust will only be disbursed once to any qualifying family within any three (3) year period.
- 3.** Each disbursement from the Trust will be a maximum of \$2,500.00 per request.
- 4.** Borough Council approval will not be requested if the investment income account falls below \$5,000.00.

WHEREAS, the Borough Council has reviewed the recommended policy and determined that it should be established.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Jacob Henry Perkins Trust Policy is hereby established as set forth above.

R 149-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE FARMERS' MARKET FOR 2020

WHEREAS, the Downtown Development Commission has recommended to the Borough Council that the Farmers' Market be continued in the Borough of Madison to be held at Dodge Field from Thursday, June 11, 2020 to November 19, 2020; and

WHEREAS, the Borough Council recognizes that the Farmers' Market has been a welcome addition to the Borough in that it creates another community event which has been successfully run in the past; and

WHEREAS, the State of New Jersey recognizes Farmers' Markets as an essential business; and

WHEREAS, the Borough Council finds that it is a benefit to the Borough of Madison and its citizens to allow the continued operation of the Farmers' Market.

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

1. A Farmers' Market is authorized to be conducted at Dodge Field from Thursday, June 11, 2020 to November 19, 2020.

Regular Meeting Minutes – May 27, 2020

2. The Farmers' Market shall be conducted in accordance with the 1993 "Guidelines for Madison's Farmers' Market", as amended, as well as the Madison Farmers' Market Regulations and By Laws, subject to the dates and times and other conditions set forth in this resolution. Farmers shall be allowed to sell agricultural products that are produced and sold on their farms, including eggs, pork, wheat flour and baked goods and the sale of field-grown and cut field flowers; however, the sale of potted plants, shrubbery or other landscaping products shall not be permitted.

3. The Farmers' Market will adhere to all regulation, including social distancing, face masks, gloves, etc. related to the current state of emergency.

4. The requirements of the Peddling and Soliciting Ordinance (Chapter 139 of the Madison Borough Code) shall not apply to the Farmers' Market as authorized by Chapter 139-13(c).

5. The requirements of the Sign Ordinance (Chapter 195 of the Madison Borough Code) shall not apply to the extent that the Farmers' Market shall be permitted to have signs as utilized in previous years;

6. The requirements of the Parking Ordinance (Chapter 195 of the Madison Borough Code) shall not apply to the extent that there shall be two (2) hour parking during market hours in areas denoted as one-hour parking;

R 150-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF LUCY D. FIELDS BY THE MADISON YMCA FOR A SUMMER DAY CAMP

WHEREAS, the Madison Area YMCA has requested permission to use Lucy D. recreation fields from June 1, 2020 through August 28, 2020, between the hours of 6:45 a.m. and 6:15 p.m. for a summer day camp; and

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

WHEREAS, the Madison Area YMCA has submitted an Application to the Borough as well as 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 the Madison Area YMCA is hereby given permission to hold a summer day camp at Lucy D. recreation fields, from June 1, 2020 through August 28, 2020, between the hours of 6:45 a.m. and 6:15 p.m., subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department and the Recreation Director.

Regular Meeting Minutes – May 27, 2020

R 151-2020 RESOLUTION TEMPORARILY AMENDING CHAPTER 166
ARTICLE V SIDEWALK DINING LICENSES

WHEREAS, the COVID-19 Global Health Pandemic has had a significant negative economic impact on the Borough's restaurants and eateries; and

WHEREAS, the Borough Council wishes to temporarily ease the Borough's Sidewalk Dining License regulations in order to help the Borough's restaurants and eateries.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that the annual license fee shall be waived for 2020, and

BE IT FURTHER RESOLVED that the Borough Administrator may permit an existing restaurant or food establishment to expand outdoor dining during the 2020 outdoor season upon issuance of the appropriate Executive Order by Governor Murphy authorizing said activity, subject to the following:

1. Outdoor dining may be conducted on any restaurant property in the CB1, CB2 and CC zoning district, and
2. Any restaurant may create outdoor dining on private property, the public sidewalk in front of their business and the public sidewalk next to their establishment with the consent of the property owner and adjoining business, and
3. Outdoor dining may be permitted on premise-owned parking lots in spaces that may have been previously required by zoning or other agreements; and
4. Service of alcoholic beverages shall be permitted in outdoor areas licensed or allowed by temporary ABC or state regulations.

BE IT FURTHER RESOLVED that the restaurant must submit an application with a map detailing the location, number of tables and seating capacity of the outdoor dining space, complying with Borough regulations and New Jersey COVID-19 guidelines and regulations; and

BE IT FURTHER RESOLVED that the Borough Administrator with the advice and consent of the Borough Attorney may waive other sections of Chapter 166 Article V and may enact other regulations as appropriate to maintain order, enhance public safety and to help Borough restaurants and eateries that are economically impacted by the COVID-19 Global Health Pandemic.

R 152-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING
SUBMISSION OF IT PAY\$ TO PLUG IN GRANT APPLICATION FOR ELECTRIC
VEHICLE CHARGING STATIONS

Regular Meeting Minutes – May 27, 2020

WHEREAS, the Assistant Borough Administrator/CFO recommends the Borough of Madison submit a grant application to the New Jersey Department of Environmental Protection Bureau of Mobile Sources for electric vehicle charging stations; and

WHEREAS, the program is designed to encourage employees to purchase and drive electric vehicles to work; and

WHEREAS, workplace driving stations can be a major factor in encouraging the public to purchase electric vehicles.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, to authorize the submission of It Pay\$ to Plug In Grant Application to the New Jersey Department of Environmental Protection Bureau of Mobile Sources.

R 153-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SIDEWALK SALES

WHEREAS, the extensive interactions that would happen from in-store retail operations continues to present a significant risk, and the restrictions on in-store operations for non-essential retail businesses cannot be lifted at this time; and

WHEREAS, Executive Order 142, signed by Governor Murphy May 13, 2020, permits curbside pickup at non-essential retail businesses to avoid unnecessary contact between customers and staff in enclosed spaces, and instead allows for limited contact while allowing business to provide goods, while following CDC guidelines, including wearing face masks, and gloves and providing for proper social distancing; and

WHEREAS, Madison's downtown retail businesses have requested permission to set up tables and merchandise in the downtown area, in order to provide non-essential goods.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that downtown retail businesses are hereby authorized to set up tables and merchandise in the downtown area upon issuance of the appropriate Executive Order by Governor Murphy authorizing said activity and that the sidewalk ordinance is hereby waived for this purpose.

R 154-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A NEW JERSEY HISTORIC TRUST FUND GRANT APPLICATION FOR ARCHITECTURAL PLANS AND SPECIFICATIONS FOR RESTORATION OF THE MADISON MASONIC LODGE NO.93

Regular Meeting Minutes – May 27, 2020

WHEREAS, the governing body of the Borough of Madison desires to further historic preservation through a grant from the New Jersey Historic Trust Fund for architectural plans and renovation of the Madison Masonic Lodge No.93.

WHEREAS, the Borough Council has determined it is appropriate to authorize the Mayor and Clerk to submit a Grant application to the New Jersey Historic Preservation Trust Fund Grant Program in connection with architectural plans for renovation of the Madison Masonic Lodge No.93.

NOW THEREFORE BE IT RESOLVED, the governing body authorizes the Mayor and Borough Clerk to submit the referenced grant application; and if awarded a grant, to execute a grant agreement with the State of New Jersey and any other document required to effectuate grant disbursement.

R 155-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A NEW JERSEY HISTORIC TRUST FUND GRANT APPLICATION FOR THE HARTLEY DODGE MEMORIAL ENTRY AND PLAZA RESTORATION

WHEREAS, the governing body of the Borough of Madison desires to further historic preservation through a grant from the New Jersey Historic Preservation Trust Fund for the Hartley Dodge Memorial Entry and Plaza restoration; and

WHEREAS, the Borough Council has determined it is appropriate to authorize the Mayor and Clerk to submit a Grant application to the New Jersey Historic Preservation Trust Fund Grant Program in connection with renovation of the Exterior Plaza of the Hartley Dodge Memorial building.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Borough Clerk are authorized to sign the application, and that they are also authorized to sign the grant agreement and any other documents necessary in connection therewith.

R 156-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE USE OF PUBLIC PARKS AND FIELDS BY LOCAL EXERCISE AND FITNESS BUSINESSES

WHEREAS, the COVID-19 Global Health Pandemic has had a significant negative economic impact on the Borough's exercise and fitness businesses; and

WHEREAS, the Borough Council wishes to temporarily authorize the use of public parks and fields in order to support the Borough's local exercise and fitness

Regular Meeting Minutes – May 27, 2020

businesses, upon the issuance of the appropriate Executive Order by Governor Murphy authorizing said activity.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Madison, in the County of Morris, State of New Jersey, that use of the Borough's parks and fields for exercise and fitness instruction by local businesses is authorized following CDC and New Jersey COVID-19 guidelines for safety and social distancing; and

BE IT FURTHER RESOLVED that each business must submit an insurance certificate, naming the Borough as an additional insured for the activity planned, in accordance with Borough regulations and New Jersey COVID-19 guidelines and regulations. Scheduling of the Borough facilities should be coordinated in advance with the Recreation Director and/or the Director of Business Development.

R 157-2020 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO CIFELLI & SON GENERAL CONTRACTING, INC. IN THE AMOUNT OF \$503,448.77 FOR THE BURNET ROAD RECONSTRUCTION PROJECT

WHEREAS, the Borough of Madison publicly advertised for bids for the Burnet Road Reconstruction project (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the apparent low qualified bid was submitted by Cifelli & Son General Contracting, Inc. of Nutley, N.J. in the amount of \$503,448.77; and

WHEREAS, the Assistant Borough Engineer and the Borough Attorney have recommended that the Borough Council award the contract to Cifelli & Son General Contracting, Inc. in the amount of \$503,448.77; and

WHEREAS, funds are available in Ordinance 1-2020 and 6-2020, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer.

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 Burnet Road Reconstruction project is hereby awarded to Cifelli & Son General Contracting, Inc. based upon its bid in the amount of \$503,448.77.

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

Regular Meeting Minutes – May 27, 2020

R 158-2020 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF JESSICA VOGEL TO THE SUMMER INTERN POSITION IN THE ELECTRIC UTILITY DEPARTMENT

WHEREAS, the QPA/Personnel Director has recommended appointment of Jessica Vogel to the position of Summer Intern in the Electric Utility department; and

WHEREAS, the Borough Council agrees with these recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Jessica Vogel is hereby appointed to the position of Summer Intern in the Electric Utility Department effective June 8, 2020 at the rate of pay of \$12.00 per hour. The work schedule is subject to revision based on the Declaration of Emergency regarding the COVID-19 pandemic.

R 159-2020 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING SANDRA EMMERICH TO THE POSITION OF ACTING PERSONNEL DIRECTOR AND KEVIN O'KEEFE TO ACTING PURCHASING AGENT

WHEREAS, the position of Personnel Director/Qualified Purchasing Agent for the Borough of Madison will be vacated due to the retirement of Linda Sawyer; and

WHEREAS, the Chief Financial Officer and Borough Administrator recommend the appointment of Sandra Emmerich to fill the position of Acting Personnel Director and Kevin O'Keefe to fill the position of Acting Purchasing Agent effective June 1, 2020; and

WHEREAS, the Council concurs with this recommendation which will reduce annual operating costs by over \$15,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Sandra Emmerich is hereby appointed to the position of Acting Personnel Director and Kevin O'Keefe is hereby appointed to the position of Acting Purchasing Agent effective June 1, 2020; and

BE IT FURTHER RESOLVED, that Ms. Emmerich's annual compensation be increased by \$16,500 on June 1, 2020 and Mr. O'Keefe's compensation be increased by \$7,500.00 on June 1, 2020 with an additional increase of \$7,500.00 upon certification as a NJ Municipal Qualified Purchasing Agent.

BE IT FURTHER RESOLVED, that upon expiration of the terminal leave for Linda Sawyer, the Acting appointments referenced above shall become permanent with no further action of the Governing Body.

Regular Meeting Minutes – May 27, 2020

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mrs. Vitale, seconded by Ms. Baillie 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	\$6,672,765.40
General Capital Fund	1,430.70
Electric Operating Fund	545,306.05
Electric Capital Fund	2,400.00
Water Operating Fund	38,462.42
Water Capital Fund	0.00
Trusts	<u>11,664.29</u>
Total	<u>\$7,272,028.86</u>

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

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

Nays: None

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved June 22, 2020 (EO)