

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

July 24, 2023 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 24th day of July, 2023. Mayor Conley called the meeting to order at 7:00 p.m., in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 12, 2023. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

John F. Hoover

Robert Landrigan

Eric Range, via teleconference

John J. Forte

Absent:

Rachel F. Ehrlich, excused

Thomas Haralampoudis, excused

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator/CFO

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

Elizabeth Osborne, Borough Clerk

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)

June 12, 2023

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

LITIGATION MATTERS (3)

DREW UNIVERSITY

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GIRALDA FARMS
ALTICE

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

PERSONNEL MATTERS (1)
POLICE SERGEANT PROMOTIONAL LIST

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

CONTRACT MATTERS (4)
HDM ARCHITECTURAL SERVICES
MASONIC LODGE
ELECTRIC PURCHASE
SOLAR ENERGY POWER PURCHASE AGREEMENT

Date of public disclosure 90 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 to remember the following recently deceased residents: Lois A. Vuono, Phyllis M. Chiappa, Carolyn H. Currey and George E. Currey

APPROVAL OF MINUTES

Mr. Hoover moved approval of the **Executive Minutes of June 12, 2023**. Mr. Landrigan seconded the motion, which passed with a unanimous voice call vote recorded.

Mr. Hoover moved approval of the **Regular Meeting Minutes of June 12, 2023**. Mr. Landrigan seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Employees of the Month:

Ptl. Renato Capillas and Jonathan Finocchiaro, for their efforts in bringing a woman who was trying to harm herself to safety and providing proper medical care.

Anniversary:

Lt. Craig Perrelli, Madison Police Department - 20th Anniversary

Fire Department Swearing-In Ceremony

Mayor Conley administered the Oath of Office of Fire Chief Kyle Wickman who was surrounded by his wife and family. There was a long round of applause. Mayor Conley also administered the Oath of Office to Probationary Firefighter Domenic DeRosa, outgoing Fire Chief Louis DeRosa pinned the badge on his son.

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REPORTS OF COMMITTEES

Community Affairs

Mr. Hoover, Chair of the Committee, made the following comments: Please visit all the terrific vendors at the Madison Farmers Market on Thursdays, at Dodge Field, from 1:00-6:00 pm. The season continues through November 16, and features live music weekly. The Downtown Concert Series, held at the Museum of Early Trades & Crafts, will continue with Rosewood on Friday, August 18th. The concerts are from 6:00-8:00 pm. Please bring your chair and plan to have dinner or dessert downtown. Bottle Hill Day will be held on Saturday, October 7, 2023. Sponsorship and vendor information has been published and is available on rosenet. The August Sidewalk Sales Days will be from August 24th through September 2nd. The Madison Car Show is scheduled for Saturday, October 7th. There will be no rain date. The Taste of Madison has been scheduled for Monday, March 4, 2024, at the Madison Hotel. At the Madison Community Arts Center, the Roseum Gallery is hosting portraits of book artists taken by photographer James Horton until August 13th. Gallery times are posted on the MCAC web page. The next outdoor concert on the Rose Pavilion is the Bottle Hill Big Band on Friday, July 28, from 6:00-8:00 pm. Events will be moved indoors in the event of rain. Spotlight Kids will present Mean Girls Friday-Sunday, August 4th through the 6th. Evening shows are scheduled at 7:00 pm on Friday and Saturday, with matinees at 2:00 pm on Saturday and Sunday. The next open mic will take place on August 9th at 8:00 pm. The Literary Open Mic is held in partnership with Arts by the People. From January 1, 2023, through today, 420 individual scheduled events have been attended by nearly 7,000 people.

Public Works and Engineering

Ms. Ehrlich, Chair of the Committee, absent.

Utilities

Mr. Landrigan, Chair of the Committee, made the following comments: A six (6) inch Fire/Domestic water line was installed at 297 Main Street for the new building on that property. Milling and paving started last week on Woodland Road, Garfield Avenue, and Myrtle Avenue. The Water Department is keeping track of the water main valve boxes. All of the valve boxes on Route 124 from Morristown to Chatham were located and marked in preparation for future micro-paving by the NJDOT. Watering your lawn during high sun hours wastes fifty (50) percent of the water due to evaporation. It is sufficient to water the average lawn only twice a week. Please remember, it is our drinking water that you are sprinkling on your lawn. The Electric Department worked with Asplundh Engineering on reprogramming the relaying on one of our 15 kV breakers. The Line Clearance crew is in their last week of tree trimming. All the stonework is completed at the James Park Substation. The crews responded to two (2) power outages, one on July 6th caused by bad connections and the other on July 12th on Surrey Lane caused by a squirrel. On July 13th the Electric Department set a new pole at 285 Main Street, due to a truck accident. The department continues to complete and address regular services, street light repairs, commercial district post head upgrades, pole transfers, and customer concern calls.

Public Safety

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

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Madison Police Department is seeking School Crossing Guards. Interested candidates should visit rosenet.org for more information or to apply today. The Traffic Safety Bureau would like to remind motorists following the paving of Woodland Road, Garfield Avenue and Myrtle Avenue the speed limit is 25MPH. Several enforcement campaigns will be conducted in the near future to reduce speeding. Madison will host National Night Out on Tuesday, August 1st on Waverly Place. Neighbors and Law Enforcement officials will meet from 5:00 to 8:00 p.m. All are welcome. Mr. Range offered congratulations to Acting Fire Chief Wickman and noted as of July 23 the fire department has responded to 25 general alarms, 13 still alarms, 16 investigations and 27 EMS calls for a total of 81 calls. On July 5th the fire department responded to what would become a 2 alarm fire on Brooklake Road. The fire started in the basement and made its way to the 1st floor. The firefighters made quick work putting the fire out preventing further damage. The cause of the fire was deemed electrical. On July 17th the fire department responded to a full involved car fire in the parking lot of 300 Madison Avenue. On July 20th one fire engine was request by East Hanover to cover the township while they were operating a 2nd alarm commercial structure fire. Madison engine 1 responded to 1 call while covering. Firefighter William Zukauskas has completed Firefighter 1 at the Morris County Public Safety Academy.

Health

Mr. Haralampoudis, Chair of the Committee, absent.

Finance and Borough Clerk

Mr. Forte, Chair of the Committee, made the following comments: Mr. Forte reported for the Department of Public Works that they have been assisting Engineering with the milling and paving project. All the parks are being mowed and lined for sports, and newly planted trees are all in and mulched. The Mechanics Dept. refurbished a very old trailer, and it is back in service. For the Engineering Department, Mr. Forte noted the Engineering Department continues the milling and overlay projects and sewer lining, as well as the multi-purpose courts project at the Madison Recreational Complex and the Memorial Park Trail reconstruction project. A public stakeholders meeting for the Waverly Place improvements project was held July 14th, in the Court room at the Hartley Dodge Memorial. The Tax Collector notes that all bills for the first quarter taxes have been mail to property owners and due to the State budget approval, the due date is August 31st.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated July 21, 2023, from David Steketee, Fairview Road, recognizing the hard work of the Sewer Department staff.

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.**

David Maines; Rosedale Avenue, raise opposition to the approval of Resolution 218-2023, appointing a Truck Driver in the Public Works Department.

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

AGENDA DISCUSSIONS

07/24/2023-1 SUSTAINABLE MADISON COMMUNITY EQUITY AND DIVERSITY PROFILE

Kathleen Caccavale and Pam Hogan of the Sustainable Madison Advisory Committee presented a new action plan to assist with community grant applications. The purpose of this action rests on the underlying conviction that everyone should be able to contribute to and share in the benefits of a sustainable community, and that everyone should have a say in making the decisions that affect their lives and that shape their community. The process involves gathering demographic statistics and mapping, establishing a team to process the information and identify community or “social” groups and sharing the findings and recommendations of the team. Madison has done a good job, is proactive in these efforts.

ADVERTISED HEARINGS

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on June 26, 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 36-2023

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$95,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A TRUCK AND ACCESSORIES FOR THE FIRE DEPARTMENT

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$95,000.00 from the General Capital Improvement Fund for the purchase of a new F550 truck and accessories for the Fire Department; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$95,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$95,000.00 from the General Capital Improvement Fund for the purchase of a new F550 truck and accessories for the Fire Department.

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

SECTION 1: The amount of \$95,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a new F550 truck and accessories for the Fire Department.

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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 36-2023. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Range moved that Ordinance 36-2023, which was read by title, be finally adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

Mayor Conley declared Ordinance 36-2023 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

ORDINANCE 37-2023

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$13,600.00 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR THE
PURCHASE OF NEW SETS OF FIREFIGHTING TURNOUT GEAR**

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$13,600.00 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 \$13,600.00 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:

SECTION 1: The amount of \$13,600.00 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 37-2023. Since no member of the public wished to be heard, the public hearing was closed.

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Mr. Range moved that Ordinance 37-2023, which was read by title, be finally adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

Mayor Conley declared Ordinance 37-2023 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 38-2023
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$700,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
RENOVATION OF THE HARTLEY DODGE MEMORIAL BUILDING**

WHEREAS, the Borough wishes to renovate portions of the Hartley Dodge Memorial Building and that the estimated costs of the renovation including soft costs, construction documents and project oversight is \$6,000,000.00; and

WHEREAS, as part of the renovations, the HVAC system in portions of the building will be replaced with air cooled heat pumps, thereby reducing the carbon footprint of the building; and

WHEREAS, the Hartley Dodge Foundation has agreed to provide \$4,000,000.00 in funding towards the building renovation; and

WHEREAS, the Borough has received a \$150,000.00 grant from the New Jersey Historic Preservation Trust for the renovation; and

WHEREAS, under Ordinance 41-2020 the Borough has previously appropriated \$250,000.00 from the Open Space, Recreation and Historic Preservation Trust Fund for the renovation; and

WHEREAS, the Madison Historical Society will occupy the first floor of the east wing portion of Hartley Dodge Memorial; and

WHEREAS, the Madison Historical Society has previously agreed to pay the Borough \$500,000.00 which will be used to fund the renovation, and that \$200,000.00 of that contribution has already been paid to the Borough and placed in reserve; and

WHEREAS, the funding for the \$6,000,000.00 renovation is summarized as follows:

- \$4,000,000.00 Hartley Dodge Foundation Grant
- \$ 150,000.00 NJ Historic Preservation Trust Grant
- \$ 500,000.00 Madison Historical Society Funds
- \$ 400,000.00 Water Utility Capital Improvement Fund

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\$ 250,000.00 From Borough OSRHP Trust
\$ 700,000.00 General Capital Improvement Fund

WHEREAS, the Chief Financial Officer/Assistant Borough Administrator has recommended that the Borough appropriate \$700,000.00 from the General Capital Improvement Fund to complete the funding for renovations to the Hartley Dodge Memorial; and

WHEREAS, the Chief Financial Officer/Assistant Borough Administrator has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$700,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$700,000.00 from the General Capital Improvement Fund for renovations to the Hartley Dodge Memorial.

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 \$700,000.00 is hereby appropriated from the General Capital Improvement Fund for renovations to the Hartley Dodge Memorial.

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 38-2023. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 38-2023, which was read by title, be finally adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

Mayor Conley declared Ordinance 38-2023 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 39-2023
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$400,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR
RENOVATION OF THE HARTLEY DODGE MEMORIAL BUILDING**

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WHEREAS, the Chief Financial Officer/Assistant Borough Administrator has recommended that the Borough appropriate \$400,000.00 from the Water Capital Improvement Fund for renovations to the Hartley Dodge Memorial; and

WHEREAS, the Chief Financial Officer/Assistant Borough Administrator has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$400,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$400,000.00 from the Water Capital Improvement Fund for renovations to the Hartley Dodge Memorial.

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 \$400,000.00 is hereby appropriated from the Water Capital Improvement Fund for renovations to the Hartley Dodge Memorial.

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 39-2023. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 39-2023, which was read by title, be finally adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

Mayor Conley declared Ordinance 39-2023 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

ORDINANCE 40-2023

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$45,000.00 FROM THE MUNICIPAL OPEN SPACE, RECREATION AND HISTORIC PRESERVATION TRUST FUND FOR A PARKS IMPROVEMENT PLAN

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to issue a Request for Proposal (RFP) for a Parks Improvement Plan; and

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WHEREAS, the Borough Council has determined that the Borough should appropriate \$45,000.00 from the Open Space, Recreation, and Historic Preservation Trust Fund to solicit proposals to draft a Parks Improvement Plan; and

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 \$45,000.00 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 \$45,000.00 is hereby appropriated from the Open Space, Recreation and Historic Preservation Trust Fund to support the issuance of an RFP for a Parks Improvement Plan.

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

Mayor Conley opened up the public hearing on Ordinance 40-2023. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 40-2023, which was read by title, be finally adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

Mayor Conley declared Ordinance 40-2023 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

INVITATION FOR COMMENT (2 of 2)

Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Meeting Moderator, each person give his/her name and address in an audible tone of voice, for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Kathleen Caccavale; Central Avenue, on behalf of the Friends of the Drew Forest, Ms. Caccavale noted that support continues to grow for the preservation of the Drew Forest, and encouraged residents to walk the forest on warm days. Lawn signs are still available.

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Michael Martinez, Independence Court, suggested Council discuss other topics at public meetings other than the environment, such as public safety.

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 August 14, 2023 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 41-2023 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING AN ADDITIONAL \$462,000.00 FROM THE WATER CAPITAL
IMPROVEMENT FUND FOR THE POTABLE WATER WELL IMPROVEMENTS

WHEREAS, Ordinance 31-2022 appropriated \$500,000.00 from the Water Capital Improvement Fund for the potable water well improvements; and

WHEREAS, the Borough Engineer has recommended that the Borough appropriate an additional \$462,000.00 for Well B Facility Improvements from the Water Capital Improvement Fund for potable water well improvements; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in a cumulative amount not to exceed \$925,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate an additional \$462,000.00 from the Water Capital Improvement Fund for potable water well improvements.

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

SECTION 1: The additional amount of \$462,000.00 is hereby appropriated from the Water Capital Improvement Fund for potable water well improvements.

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

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

Mr. Hoover moved that Ordinance 41-2023, which the Borough Clerk read by title, be adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

ORDINANCE 42-2023 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$60,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND TO PURCHASE WINDOWS, DOORS AND RELATED IMPROVEMENTS
FOR THE DEPARTMENT OF PUBLIC WORKS GARAGE

WHEREAS, the Director of Public Works has recommended that the Borough appropriate \$60,000.00 from the General Capital Improvement Fund to purchase windows, doors and related improvements for the Department of Public Works Garage; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$60,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$60,000.00 from the General Capital Improvement Fund to purchase windows, doors and related improvements for the Department of Public Works Garage.

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 \$60,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase windows, doors and related improvements for the Department of Public Works Garage.

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

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

Mr. Hoover moved that Ordinance 42-2023, which the Borough Clerk read by title, be adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

ORDINANCE 43-2023 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$56,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND TO PURCHASE AN ELECTRIC ZERO TURN MOWER AND
ACCESSORIES FOR THE DEPARTMENT OF PUBLIC WORKS

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WHEREAS, the Director of Public Works has recommended that the Borough appropriate \$56,000.00 from the General Capital Improvement Fund to purchase an Electric Zero turn mower and accessories for the Department of Public Works; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$56,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$56,000.00 from the General Capital Improvement Fund to purchase an Electric Zero turn mower and accessories for the Department of Public Works.

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 \$56,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase an Electric Zero turn mower and accessories for the Department of Public Works.

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

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

Mr. Hoover moved that Ordinance 43-2023, which the Borough Clerk read by title, be adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

ORDINANCE 44-2023 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$55,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND TO PURCHASE A JEEP AND ACCESSORIES FOR THE DEPARTMENT
OF PUBLIC WORKS

WHEREAS, the Director of Public Works has recommended that the Borough appropriate \$55,000.00 from the General Capital Improvement Fund to purchase a Jeep and accessories for the Department of Public Works; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$55,000.00 for this purpose; and

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WHEREAS, the Borough Council has determined that the Borough should appropriate \$55,000.00 from the General Capital Improvement Fund to purchase a Jeep and accessories for the Department of Public Works.

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 \$55,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a Jeep and accessories for the Department of Public Works.

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

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

Mr. Hoover moved that Ordinance 44-2023, which the Borough Clerk read by title, be adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

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

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

R 200-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXTENDING THE TERM OF THE CURRENT MADISON POLICE DEPARTMENT SERGEANT'S PROMOTIONAL LIST

WHEREAS, Resolution 267-2023, adopted October 13, 2021 authorized the term of the current Police Department Sergeant's Promotional list; and

WHEREAS, the Police Chief has requested that the current Madison Police Department Sergeant's Promotional list remain active for one additional year from September 20, 2023 to September 20, 2024; and

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WHEREAS, the PBA and SOA have consented to said extension request;
and

WHEREAS, the Borough Administrator has recommended that the Borough Council approve retention of the current Sergeant's Promotional list, as requested;
and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the current Sergeant's Promotional list be retained for one year, expiring September 20, 2024. The current list is as follows:

- 1.) Det. Ryan Dunn
- 2.) Cpl. Travis Daniel

R 201-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO HISTORIC BUILDING ARCHITECTS, INC., TRENTON, NEW JERSEY, FOR PROFESSIONAL ARCHITECTURAL SERVICES

WHEREAS, the Borough Administrator has recommended that a professional services contract be awarded to Historic Building Architects, Inc., for professional architectural services to be supplied to the Borough of Madison for proposed improvements to the East Wing of the Hartley Dodge Memorial, based upon the proposal dated June 23, 2023 attached hereto; and

WHEREAS, said services would constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, funds will be available in Ordinance 38-2033 and Ordinance 39-2023 or any other budget or capital account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The Borough Administrator is hereby authorized to execute, on behalf of the Borough, a professional service contract with Historic Building Architects, Inc., for professional architectural services to be supplied to the Borough of Madison for proposed improvements to the East Wing of the Hartley Dodge Memorial, in a form acceptable to the Borough Attorney, based upon the proposal dated June 23, 2023.

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

R 202-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO BEN SHAFFER RECREATION, INC. IN THE AMOUNT OF \$657,646.66 FOR THE 2023 ACCESSIBLE PLAYGROUND PROJECT AT DODGE FIELD PROJECT

WHEREAS, the Borough of Madison wishes to contract for the 2023 Accessible Playground Project at Dodge Field project (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, Ben Shaffer Recreation,, Inc. of Lake Hopatcong, N.J. was awarded a contract through the Educational Services Commission of New Jersey (ESCNJ) Cooperative Pricing Counsel for this category of project; and

WHEREAS, the Assistant Borough Engineer and the Borough Attorney have recommended that the Borough Council award the contract to Ben Shaffer Recreation,, Inc. in the amount of \$657,646.66, subject to formal approval by the U.S. Department of Housing & Urban Development and the Morris County Community Development Program; and

WHEREAS, funds are available in Ordinances 18-2023 and 29-2022, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been 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 2023 Accessible Playground Project at Dodge Field project is hereby awarded to Ben Shaffer Recreation, Inc. through the ESCNJ, in the amount of \$657,646.66.

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

R 203-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE MADISON BOARD OF EDUCATION TO PROVIDE A SPECIAL LAW ENFORCEMENT OFFICER II

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WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 authorizes local governmental entities to enter into an agreement, among other things, for the sharing of services; and

WHEREAS, the Madison Board of Education (BOE) and the Borough of Madison wish to enter into agreements under which the Borough agrees to provide two (2) Special Law Enforcement Officers (SLEO III) to the BOE to be paid for by the BOE, but managed by the Borough of Madison Police Department; and

WHEREAS, the Madison Borough Council has determined to enter into said shared services agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into Shared Services agreements with the Madison Board of Education for the provision of two (2) Law Enforcement Officers (SLEO III), such agreements to be in a form approved by the Madison Borough Attorney.

R 204-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE SOMERSET COUNTY MARKETPLACE

WHEREAS, the Borough of Madison desires to become a member of the Somerset County Marketplace, effective July 24, 2023, and each renewal, thereafter of the system, unless the Borough of Madison elects to formally withdraw from the system; and

WHEREAS, the Qualified Purchasing Agent has recommended that the Borough enter into a Shared Services agreement for these services.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute the attached agreement for such membership.

R 205-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH ROSENBAUER MINNESOTA, LLC TO REPAIR MADISON FIRE DEPARTMENT FIRE APPARATUS

WHEREAS, the Madison Fire Chief has advised the Council that emergency repairs are needed to certain apparatus/vehicles to safeguard the health and welfare of the public; and

WHEREAS, Resolution 231-2022 authorized up to \$55,000.00 to repair and replace fire department apparatus, pursuant to N.J.S.A 40A:11-6(b), and

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WHEREAS, the Fire Chief has requested that the Borough authorize an additional \$20,000.00 for the contract to Rosenbauer Minnesota, LLC for additional necessary repairs discovered when at the repair facility and transportation; and

WHEREAS, the Borough Council has determined to authorize an amendment to the contract in the total amount up to \$75,000.00 for the emergency services required; and

WHEREAS, the Chief Financial Officer has attested that funds are available in Ordinance 25-2022 for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that an amendment in the amount of \$20,000.00 to the contract with Rosenbauer Minnesota, LLC for the emergency services required.

R 206-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING
USE OF A COMPETITIVE CONTRACTING PROCESS FOR PROFESSIONAL
PARK PLANNING SERVICES

WHEREAS, the Borough of Madison wishes to solicit proposals to award a contract for Professional Park Planning Services; and

WHEREAS, Local Public Contracts Law allows a procedure called Competitive Contracting to be used to procure certain services that warrant a qualitative evaluation of specialized goods or service providers to determine the provider that has the most advantageous experience , price and other factors considered; and,

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

WHEREAS, the Council of the Borough of Madison has determined that the procurement of consulting services for Professional Park Planning Services through the Competitive Contracting process is in the best interest of the Borough of Madison; and,

WHEREAS, the use of competitive contracting consulting services is authorized pursuant to N.J.S.A. 40A:11-4.1 (m).

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's Qualified Purchasing Agent is authorized to initiate the competitive contracting

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process for the solicitation of proposals for consulting services for Professional Park Planning Services is in conformance with N.J.S.A. 40A:11-4.1 (m).

R 207-2023 RESOLUTION OF THE BOROUGH OF MADISON RENEWING LIQUOR LICENSE IN THE BOROUGH OF MADISON FOR THE 2023-2024 LICENSE TERM

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following application for renewal of Liquor License for the 2023-2024 license term be, and hereby is, approved:

License # 1417-44-016-005
Sagar Beverage, LLC (Inactive)
Mailing: 28 Phillip Drive
Parsippany, NJ 07054

R 208-2023 RESOLUTION OF THE BOROUGH OF MADISON PROCLAIMING SATURDAY, OCTOBER 7, 2023 AS BOTTLE HILL DAY AND AUTHORIZING BEER GARDEN

WHEREAS, the Mayor and Council of the Borough of Madison have supported the celebration of Bottle Hill Day for the last forty-one years; and

WHEREAS, Bottle Hill was the name given the community formed in Madison prior to the American Revolution; and

WHEREAS, celebrations commemorating Bottle Hill have been an integral part of the history of Madison; and

WHEREAS, Bottle Hill Day provides an excellent opportunity for all members of Madison families to participate in a Borough recreational activity.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that October 7, 2023 is hereby proclaimed as **BOTTLE HILL DAY**.

BE IT FURTHER RESOLVED, that the following activities are hereby authorized between the hours of 10 a.m. and 6 p.m.:

(1) Merchants contiguous to the sidewalks along the north and south sides of Main Street between Community Place and Greenwood Avenue, both sides of Green Village Road from Kings Road to Main Street, Central Avenue and Waverly Place shall be permitted to sell their merchandise on the sidewalks assuming they provide clear access for pedestrians.

(2) Vendors, entertainment and activities shall be allowed to set up at various locations that are approved by the Police Department and the Assistant Borough Administrator/CFO, on the western portion of Lincoln Place, both sides of

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Waverly Place, both sides of Central Avenue (from Main Street to Brittin Street), and Green Village Road between the James Building and the Museum of Early Trades and Crafts, which streets shall be closed to motor vehicle traffic during the event.

(3) The Downtown Development Commission together with the Madison Main Street Foundation shall be permitted to operate a beer garden on Kings Road, subject to such restrictions or conditions as may be required by the Madison Chief of Police. Alcohol is permitted only in the beer garden on Kings Road. The location of the beer garden on Kings Road shall be determined by the Assistant Borough Administrator/CFO.

R 209-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MADISON CHAMBER OF COMMERCE SIDEWALK SALE DAYS AUGUST 24, 2023 THROUGH SEPTEMBER 2, 2023

WHEREAS, the Madison Chamber of Commerce has applied for permission to hold sidewalk sales on the North side and South side of Main Street from Green Village Road to Greenwood Avenue, and on the North side of Main Street and Park Avenue from Green Village Road to Ridgedale Avenue, and on the East and West sides of Waverly Place and on Central Avenue from Main Street to Elmer Street, and on Lincoln Place from Thursday, August 24 through Saturday, September 2 from 9:00 a.m. to 6:00 p.m.; and

WHEREAS, the Council has determined that permission should be granted provided that the Chamber of Commerce agrees to keep a clearance of at least ten (10) feet from all fire hydrants and keep entrances and pathways to all stores/apartments clear.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that the request for the Madison Chamber of Commerce to hold sidewalk sales in locations described herein from Thursday, August 24 through Saturday, September 2 from 9:00 a.m. to 6:00 p.m., is hereby granted and approved subject to the above noted conditions and subject to compliance with any safety requirements of the Madison Police Department and Fire Department.

R 210-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY THE THURSDAY MORNING CLUB

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

Thursday Morning Club

I.D. No. 274-8-12803
R.A. No. 1550 – On-Premise Merchandise
Date of Raffle – November 11, 2023
R.A. No. 1551 – On-Premise 50/50
Date of Raffle – November 11, 2023
R.A. No. 1552 – Off-Premise 50/50

R 211-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF MEMORIAL PARK PARKING AREA BY THE ADULT SCHOOL OF THE CHATHAMS, MADISON AND FLORHAM PARK

WHEREAS, the Adult School of the Chathams, Madison and Florham Park has requested permission to use the parking area at Memorial Park on Thursday, October 5, 2023, Wednesday, October 18th, Thursday, November 30th, and Tuesday, December 12, 2023 from 7:00 a.m. to 6:00 p.m.; and

WHEREAS, the Borough Administrator has recommended this request be approved; and

WHEREAS, the Adult School of the Chathams, Madison and Florham Park has submitted 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 Adult School of the Chathams, Madison and Florham Park is hereby given permission to use the parking area at Memorial Park on Thursday, October 5, 2023, Wednesday, October 18th, Thursday, November 30th and Tuesday, December 12, 2023 from 7:00 a.m. to 6:00 p.m., for a bus trip activity subject to approval of the Madison Police Department.

R 212-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING SPECIAL EVENT PERMIT FOR THE “CARS & COFFEE SHOWCASE” TO BE HELD ON KINGS ROAD THURSDAY, SEPTEMBER 21, 2023

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WHEREAS, Sunday Motor Co. has requested permission to close a portion of Kings Road to hold a “Cars & Coffee Showcase”, on Thursday, September 21, 2023; and

WHEREAS, the event will be held along Kings Road between Green Village Road and 14 Kings Road, during the hours of 6:00 p.m. and 9:00 p.m.; and

WHEREAS, Police Chief Miscia recommends approval of this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of Sunday Motor Co. to hold a “Cars & Coffee Showcase” on Thursday, September 21, 2023, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department. The cost of any traffic officers to be borne by the applicant.

R 213-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING USE OF COMMUNITY POOL PUBLIC PARKING LOT BY THE CUB SCOUT PACK 226 ON SEPTEMBER 15, 2023

WHEREAS, Cub Scout Pack 226 has requested permission to use the public parking lot at the Madison Community Pool on Friday, September 15, 2023, between the hours of 5:00 p.m. and 8:00 p.m.; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; 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 Cub Scout Pack 226 use of the Madison Community Pool public parking lot to be held September 15, 2023, between the hours of 5:00 p.m. and 8:00 p.m. is hereby approved subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 214-2023 RESOLUTION OF THE BOROUGH OF MADISON REJECTING THE SUBMISSIONS FOR THE MADISON UTILITY BUILDING ROOF REPAIRS REBID AND AUTHORIZING NEGOTIATION

WHEREAS, the Borough of Madison publicly advertised for rebids for the Madison Utility Building Roof Repairs in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

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WHEREAS, six (6) bids were received and opened on, June 15, 2023. The lowest responsible and responsive bid substantially exceeds the cost estimate; and

WHEREAS, the Borough Administrator and Borough Attorney have recommended that the bids be rejected pursuant to N.J.S.A. 40A:11-13.2(a), and authorize negotiation pursuant to N.J.S.A. 40A:11-5(3);

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 bids received on June 15, 2023 for the Madison Utility Building Roof Repairs are hereby rejected for the reason set forth herein and the Qualified Purchasing Agent is authorized to negotiate a contract.

R 215-2023 RESOLUTION OF THE BOROUGH OF MADISON IMPOSING FINAL CONTRACT OFFER WITH THE TEAMSTERS LOCAL 469

WHEREAS, the Borough of Madison (“Borough”) is a public employer within the meaning of the New Jersey Employer Employee Relations Act (“Act”); and

WHEREAS, the Teamsters Local Union No. 469 (“Teamsters”) is a public employee representative within the meaning of the Act and represents water, sanitation, roads ad parks and mechanical service classified as truck drivers, laborers, equipment operators, foremen, lead men, meter readers, customer serviceman, second class truck driver, mechanics and water utility men, station operator and building custodian and head custodian; and

WHEREAS, the collective negotiations agreement between the parties expired on December 31, 2021; and

WHEREAS, prior to the expiration of the collective negotiations agreement, the parties negotiated on several occasions including but not limited to July 22, 2021, October 20, 2021, December 14, 2021, February 3, 2022; and

WHEREAS, the parties reached an impasse and on February 18, 2022 the Teamsters filed a Notice of Impasse with the New Jersey Public Employment Relations Commission (“PERC”); and

WHEREAS, the parties met with the mediator and engaged in mediation on July 14, 2022 and December 21, 2022; and

WHEREAS, the parties were unable to reach terms to a successor agreement; and

WHEREAS, on January 19, 2023, PERC sent correspondence to the Borough and Teamsters advising that the impasse has not been resolved and pursuant to N.J.A.C. 19:12-4.1(a) fact finding with recommendations for settlement was invoked; and

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WHEREAS, on March 14, 2023, Fact Finder Robert Weakley sent correspondence to the Borough and Teamsters advising that he was appointed the fact finder in accordance with N.J.A.C. 19:12-4.2; and

WHEREAS, on May 16, 2023, Fact Finder Robert Weakley held a mediation/fact finding session and the parties presented evidence and arguments in support of their positions; and

WHEREAS, on May 21, 2023, Fact Finder Robert Weakley issued his award which he believed represented an equitable and practical solution that would permit the parties to conclude negotiations; and

WHEREAS, on June 8, 2023, the Teamsters rejected the Fact-Finding award and notified the Borough of same; and

WHEREAS, the Borough posted the Fact-Finding Award on its website on June 13, 2023; and

WHEREAS, on July 12, 2023 the Borough and Teamsters met and exchanged statements of position, tried to reach an agreement, confirmed prior tentative agreements but there remained an impasse between the parties; and

WHEREAS, the Borough and the Teamsters have exhausted dispute resolution procedures and the Borough seeks to implement its last best offer in accordance with the Act.

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

1). The Borough hereby accepts and ratifies the Fact-Finding Award dated May 21, 2023 by Robert Weakley attached hereto as exhibit A and will implement same upon the Teamsters Local No. 469.

2). The Borough hereby further accepts and ratifies the following prior tentative agreement contract terms and will implement same upon the Teamsters Local No. 469:

a. Clarification of the meal allowance provisions to be in sync with the meal allowance provisions in the IBEW Local 1289 existing contract.

b. All uniforms shall be ordered in January of each year of the contract term or as soon as possible thereafter.

c. The Borough will deduct all union fees including the initiation fee for all members who file membership payroll deductions sheets.

d. Modify bereavement language to the following:

Bereavement: In the event of a death of a relative who resides with an employee (within the same household), the employee shall be granted a total of five (5) consecutive days just before or after the funeral to assist the family during the time of grief.

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In the event of the death of a child, father, father-in-law, mother, mother-in-law, sister, sister-in-law, brother, brother-in-law, grandparent or grandchild not residing with an employee, five (5) days shall be granted with pay for this purpose.

In the event of the death of a cousin, aunt, uncle, spouse's grandparent, son-in-law, daughter-in-law, niece or nephew, one day with pay shall be granted to attend the funeral.

If time is needed beyond that which is granted above, the employee may use up to five (5) sick days for bereavement or family assistance in the death of the above-listed relatives.

e. Up to a \$300 reinforced toe safety boot allowance shall be established on a reimbursement basis with a receipt. Management to approve prior to purchase.

3). This resolution shall take effect immediately.

R 216-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLE LICENSE APPLICATION SUBMITTED BY SAINT VINCENT MARTYR CHURCH

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

Saint Vincent Martyr Church

I.D. No. 274-1-812

R.A. No. 1553 – Off-Premise 50/50

Date of Raffle – October 7, 2023

R 217-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE AWARD OF A COMPETITIVE CONTRACT BETWEEN THE MADISON CHATHAM JOINT MEETING AND GREENSKIES CLEAN ENERGY, LLC FOR A SOLAR ENERGY POWER PURCHASE AGREEMENT

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

WHEREAS, The Madison Chatham Joint Meeting publicly opened Request for Proposals on June 8, 2023 from solar energy installation companies and power purchase agreements providers to develop, install, own and operate a solar array on the premises of the Madison Chatham Joint Meeting; and

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WHEREAS, the following five companies submitted proposals for two mandatory scenarios (base bid and increased system size) and one optional bid (floating solar); and

Proposer	Scenario 1 – Base Bid			Scenario 2 – Increased System Size			Optional Bid – Floating Solar		
	System Size	Rate	Escalator	System Size	Rate	Escalator	System Size	Rate	Escalator
Greenskies Clean Energy LLC	983 KW dc	\$0.34	0%	1583 KW dc	\$0.022	0%	No Bid	No Bid	No Bid
Advanced Solar Projects	975 KW dc	\$0.44	1.5%	1530 KW dc	\$0.0345	1.5%	702 KW dc	\$0.065	1.5%
Solar Landscape	1090 KW dc	\$0.46	2%	1426 KW dc	\$0.073	2%	1606 KW dc	\$0.048	2%
NJR Clean Energy	986 KW dc	\$0.69	1.5%	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Sunlight General Capital	1000 KW dc	\$0.73	2.2%	1600 KW dc	\$0.087	2.2%	No Bid	No Bid	No Bid

WHEREAS, the Solar Panel Evaluation Committee evaluated all proposals based on the proposers’ profile, qualifications, scope of services, project schedule, and PPA financing terms; and

WHEREAS, the Solar Panel Evaluation Committee scheduled interviews with the top three selected companies: Greenskies Clean Energy, Advanced Solar Projects and Solar Landscape; and

WHEREAS, based on the evaluation criteria outlined in the request for proposals, the Solar Panel Evaluation Committee recommends awarding the contract to Greenskies Clean Energy LLC; and

WHEREAS, the proposal received by Greenskies Clean Energy LLC has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-4.1 et seq. and the request for proposal specifications as written.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Madison, County of Morris, State of New Jersey, hereby awards a Madison Chatham Joint

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Meeting contract to Greenskies Clean Energy LLC for Scenario 1 Base bid to develop, install, own and operate a 983 kW dc solar array on the premises of the Madison Chatham Joint Meeting at a cost of \$.034 per kwh generated with no price escalator over the 15 year term, said award being contingent on the final contract terms and language being acceptable to the MCJM attorney.

R 218-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF MAURICIO GOMEZ TO THE POSITION OF TRUCK DRIVER II IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works recommends that an offer of employment be made to Mauricio Gomez for the position of Truck Driver in the Public Works 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, as follows:

1. The Borough Administrator shall make an offer of employment to Mauricio Gomez for the position of Truck Driver in the Public Works Department.
2. The Personnel Director is authorized to hire Mauricio Gomez for the position of Truck Driver in the Public Works Roads Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary in accordance with the appropriate collective bargaining unit contract.

R 219-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY BPOE #1465 MADISON LODGE TO CONDUCT DAILY INSTANT RAFFLE GAMES, INCLUDING SUNDAYS

WHEREAS, N.J.S.A. 5:8-1 et seq. and N.J.A.C. 13:47-1.1 et seq. prohibit the conducting of games of chance on Sunday unless specifically authorized by a duly adopted municipal ordinance; and

WHEREAS, on March 8, 1982, the Council of the Borough of Madison adopted Ordinance No. 5-82 to allow the Council, by resolution, to permit qualified organizations to conduct games of chance on Sunday; and

WHEREAS, the New Jersey Legalized Games of Chance Control Commission has issued Registration Identification No. 274-6-34038 to BPOE #1465 Madison Lodge; and

WHEREAS, an Application for Raffles License, together with all necessary documents and fees, has been submitted to the Madison Borough Clerk's Office by BPOE #1465 Madison Lodge to conduct Instant Raffle Games seven days a week on its premises at 192 Main Street, Madison, from September 10, 2023 through September 7, 2024.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the aforementioned Application for Raffles License, R.A. No. 1529, to be held as listed above, be and the same is hereby approved.

R 220-2023 RESOLUTION OF THE BOROUGH OF MADISON RECOGNIZING THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE SEPTEMBER 2023-SEPTEMBER 2025

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) 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. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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 Madison Borough Council has applied for DMHAS Youth Leadership funding through 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:

1. The Madison Borough Council does hereby authorize submission of an application for DMHAS Grant funding for the Madison Municipal Alliance (MAASA) for Year One Grant Term 9/1/2023 – 9/30/2025 in the amount of:

DMHAS Grant Funding \$3,900.00

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

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Hoover, seconded by Mr. Range 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.

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Current Fund	\$5,104,046.46
General Capital Fund	14,712.96
Electric Operating Fund	543,621.24
Electric Capital Fund	167,455.96
Water Operating Fund	46,222.26
Water Capital Fund	67,200.00
Trusts	<u>38,393.06</u>
Total	<u>\$5,981,651.94</u>

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

Yeas: Mr. Hoover, Mr. Landrigan, Mr. Range, Mr. Forte

Nays: None

Absent: Ms. Ehrlich, Mr. Haralampoudis

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved August 14, 2023 (EO)