

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

August 14, 2023 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 14th day of August, 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
Rachael Ehrlich
Eric Range
Thomas Haralampoudis

Absent:

Robert Landrigan, excused
John J. Forte, excused

Also Present:

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

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Hoover moved:

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

MINUTES FOR APPROVAL (1)

June 26, 2023

July 24, 2023

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

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LITIGATION MATTERS (3)

DREW UNIVERSITY

GIRALDA FARMS

MIDWEST CONSTRUCTION, INC.

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

CONTRACT MATTERS (2)

COLLECTIVE BARGAINING

MASONIC LODGE

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.

APPROVAL OF MINUTES

Mr. Hoover moved approval of the **Executive Minutes of June 26, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Ehrlich moved approval of the **Regular Meeting Minutes of June 26, 2023**. Mr. Range seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Ehrlich moved approval of the **Executive Minutes of July 24, 2023**. Mr. Range seconded the motion, which passed with a unanimous voice call vote recorded.

Mr. Hoover moved approval of the **Regular Meeting Minutes of July 24, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley noted that tonight's meeting is the only Council Meeting listed in August. The next meeting of the Mayor and Council is scheduled for Monday, September 11, 2023. Mayor Conley noted his attendance at the annual intern luncheon, as well as National Night Out, held Monday, August 1, 2023. Mayor Conley thanked Chief Miscia, the staff of the Madison Police Department and all the volunteers that made NNO a great success once again. Mayor Conley thanked Assemblywoman Mikie Sherrill and State Senator Anthony Bucco for their participation in a video regarding preservation of the Drew Forest, for the Morris County Open Space grant funding application, filed by the Borough.

Employee of the Month for August

Borough Clerk Elizabeth Osborne for work performed in providing Registrar support during the absent Borough Registrar.

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REPORTS OF COMMITTEES

Community Affairs

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

Bottle Hill Day will be held on Saturday, October 7, this fall. Sponsorship and vendor information has been published and is available on rosenet. Please visit all the terrific vendors at The Madison Farmers Market on Thursdays, at Dodge Field, from 1-6:00 pm. The season continues through November 16th and will feature 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. August Sidewalk Sales Days will be from August 24th through September 2nd. The Madison Car Show is scheduled for Saturday, October 7. There will be no rain date. The Taste of Madison has been scheduled for Monday, March 4, 2024 at the Madison Hotel. The fifth outdoor concert on the Rose Pavilion at the Madison Community Arts Center is Forbidden Tropics, an Afro-Peruvian Jazz Band featuring Alejandro Attaucusi on Friday, August 25, 2024 from 6:00 -8:00 pm. Events will be moved indoors in the event of rain. Four concerts have been held so far, and average attendance is around 100 people. The final concert features Pyrenesia, a gypsy jazz band, on September 8th. The next open mic is the Comedy Open Mic, which will take place on August 16th at 8:00 pm. The new music showcase, Come Original will take place on Saturday August 19 at 8:00 pm. From January 1, 2023, through today, 428 individual scheduled events have been attended by 11,159 people. Over 2500 hours of programming has occurred, with a projected amount of 3750 hours for 2023

Public Works and Engineering

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

Ms. Ehrlich noted that the Engineering Department has completed two annual projects, sewer lining and the 2023 milling and overlay project. Roadway striping will also be completed this month. The new multipurpose pickleball courts at the MRC should be completed by September 15th. The Department of Public Works reports that they have met with members of the Sustainable Madison Advisory Committee and took a tour of various sites in the Borough where drainage could be improved. Some areas will have long term solutions, and some are short fixes. They identified an area at the MRC in the parking lot area that will be worked on in the coming weeks. As a result of the survey, there will be better drainage and run off from these locations. Department staff repainted all green lines for the EV Charging Stations in the Borough. Residents are asked to use See click and Fix to identify problems and notify Public Works. This app can be downloaded on your phone and available 24/7 and used without having to speak to us. From the Finance Department, Ms. Ehrlich noted that tax bills were mailed July 21, 2023 and payment is due before August 31st. After August 31st, interest will be due back to August 1st. A Time of Use rates for Utility billing presentation will be made by Administration later this evening.

Utilities

Mr. Landrigan, Chair of the Committee, absent.

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Public Safety

Mr. Range, Chair of the Committee, made the following comments: Reporting for Utilities, Mr. Range noted two leaking main valves on Park Avenue that were excavated and repaired according to the NJDEP Water Quality Accountability Act. One water service was renewed on Park Avenue according to the WQAA of NJ, by replacing an older lead and/or galvanized service and connection with copper. Fire hydrants are being painted to AWWA standards for flow: Green indicating 1,000 gallons per minute or more, Yellow, for 500 to 1,000 gallons per minute, and Red, for 500 gallons per minute or less. The Borough's risk insurance company, JIF, inspected the five (5) wells and two (2) tanks. Minor signage infractions were cited, and some overgrown trees needed to be trimmed. The Water Department made the necessary changes. The Department reminds residents that watering your lawn during high sun hours wastes fifty 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. On Monday, July 24th, the Electric Department staff was called out for ½ power on Lee Avenue caused by a bad tap on the secondary. The Crew installed a new tap and wire connection. On July 25th, a severe rain, wind, lightning storm swept through Madison in the afternoon causing power outages and line damage. The department worked until 7:00 pm repairing cable, refusing sections, and removing branches from wires. The Stand-by crew was called out again at 10:30 pm for partial power on Station Road. The power issue was caused by a bad service wire, which was removed and replaced. On Thursday, July 27th, the Stand-by Crew was called out in response to the Substation Alarms. The N-14 Feeder line had tripped out. The Crew was called out again at 9:53 pm due to a downed wire on Madison Avenue. On July 28th, the Stand-by crew was called out for dimming lights on Belleau Avenue. On August 2nd, the Stand-by crew was called out to Ardsleigh Drive due to a tree branch falling and ripping the cable line off of the house. The next day, the Crew was called to inspect a utility pole on Danforth Road at Beech Avenue, which had been struck when a car rolled over. On Saturday, August 5th, the Stand-by Crew went to Drew University to perform their annual scheduled system shut-down – which allows Drew to complete preventative maintenance on their substation. The Crew restored full power to Drew at 2:00 pm. The department continues to complete and address regular services, street light repairs, commercial district post head upgrades, pole transfers, and customer concern calls. The Madison Police Department notes that National Night Out took place on August 1st, with over one thousand visitors throughout the night in the center of town. The event took place entirely on Waverly Place and countless residents and visitors of Madison joined forces in making it a memorable night. Chief Miscia thank the governing body and Borough administration for supporting the Police Department. Mr. Range also noted that the Madison Police Department and Traffic Safety Bureau are looking for school crossing guards for this upcoming school year. Please visit www.rosenet.org/jobs for more information.

Health

Mr. Haralampoudis, Chair of the Committee, made the following comments: Mr. Haralampoudis noted that members of the Madison Board of Health and Health Department staff are working on an anti-vaping ordinance, which will help educate residents, particularly students on the dangers of vaping. A presentation to families and students regarding warning signs of teen mental health will also be presented. Please look for more information in the Board of Health newsletter this month.

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Monthly blood pressure screening is available the third Friday of each month at the Health Department, now located at the Hartley Dodge Memorial. The Madison Health Department will again coordinate, in conjunction with our partners at the Bloomfield Health Department, seasonal influenza clinics for the upcoming flu season. There is no fee for the vaccine for residents of the Borough of Madison. The animal census has been completed and seventy nine dogs and 26 cats were discovered and registered.

Finance and Borough Clerk

Mr. Forte, Chair of the Committee, absent.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:
Letter dated August 8, 2023 from Cory Roffelsen, Green Village Road regarding an appeal of a Planning Board approval for a minor subdivision at 133 Green Village Road.

INVITATION FOR COMMENT (1 of 2)

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

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

AGENDA DISCUSSIONS

08/14/2023-1 ELECTRIC UTILITY TIME OF USE RATES

Mr. Burnet and Utility Customer Serviceman Jim Trimble provided information regarding proposed electric utility time of use (TOU) rates. The TOU program will be voluntary to start. Based on calls and comments from residents, we anticipate many EV customers will sign up for the program. The pilot program will allow the Borough to better see the impact of TOU rates, how much consumption might shift, and if the rates revenue is neutral. TOU rates are possible because the AMI smart meter system has bi-directional communication. Next steps will include sending tier information to all meters, working on the bill form, research TOU for solar customers, analyze rates and coming back to Council with results and request a pilot program.

ADVERTISED HEARINGS

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on July 24, 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 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 \$962,000.00 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.

Mayor Conley opened up the public hearing on Ordinance 41-2023. Since no member of the public wished to be heard, the public hearing was closed.

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

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

Nays: None

Absent: Mr. Landrigan, Mr. Forte

Mayor Conley declared Ordinance 41-2023 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 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.

Mayor Conley opened up the public hearing on Ordinance 42-2023. Since no member of the public wished to be heard, the public hearing was closed.

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

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

Nays: None

Absent: Mr. Landrigan, Mr. Forte

Mayor Conley declared Ordinance 42-2023 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 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**

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.

Mayor Conley opened up the public hearing on Ordinance 43-2023. Since no member of the public wished to be heard, the public hearing was closed.

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

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

Nays: None

Absent: Mr. Landrigan, Mr. Forte

Mayor Conley declared Ordinance 43-2023 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 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

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.

Mayor Conley opened up the public hearing on Ordinance 44-2023. Since no member of the public wished to be heard, the public hearing was closed.

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

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

Nays: None

Absent: Mr. Landrigan, Mr. Forte

Mayor Conley declared Ordinance 44-2023 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

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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 offered appreciation for the late Ed Lloyd, legal advisor to the Friends of the Drew Forest and noted his dedication to the preservation of the forest. Ms. Caccavale also noted the bats study conducted at the Drew Forest, listing bat species recently found and the significance to the community.

Michael Martinez, Independence Court, addressed the example time of use electric utility rates presented earlier, suggesting TOU charges would be a discount for some customers and not others.

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

INTRODUCTION OF ORDINANCES - None

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

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

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

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

Nays: None

Absent: Mr. Landrigan, Mr. Forte

R 221-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE MADISON POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL NO. 92 (PBA)

WHEREAS, the Borough of Madison ("Borough") commenced collective negotiations with the Local 92 PBA bargaining unit; and

WHEREAS, the parties were able to successfully negotiate a Memorandum of Agreement for the period January 1, 2022 to December 31, 2027; and

WHEREAS, the members of the PBA Local #92 have ratified the Memorandum of Agreement; and

WHEREAS, the Mayor and Council have considered the specific terms and conditions contained in the Memorandum of Agreement for the above noted bargaining unit.

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NOW THEREFORE BE IT RESOLVED as follows:

1. The Mayor and Council approve the attached Memorandum of Agreement for the above-bargaining unit and the terms and conditions specifically set forth in the agreement; and
2. The Mayor and Council hereby authorize the Borough Administrator, Mayor and Borough Clerk to execute the Memorandum of Agreement; and
3. The Mayor and Council authorize the Borough Administrator and CFO to effectuate the collective bargaining agreement.

R 222-2023 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING BRIAN ALLEN TO THE POSITION OF SUBSTITUTE CROSSING GUARD

WHEREAS, the Personnel Director has recommended appointing Brian Allen to the position of Substitute Crossing Guard; and

WHEREAS, the Chief Financial Officer has attested that funds are available for this purpose in the 2023 Police Department Budget # 240, Operating Account for Part-time Help #130.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that upon satisfactory completion of a background check, Brian Allen is appointed to the position of Substitute Crossing Guard for the Borough of Madison for the 2023-2024 school year.

BE IT FURTHER RESOLVED, that Brian Allen be compensated at the current rate of pay of \$21.03/hour.

R 223-2023 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING TRAVIS BENWAY TO THE POSITION OF PUBLIC SAFETY TELECOMMUNICATIONS OFFICER

WHEREAS, the Personnel Director recommends the appointment of Travis Benway 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 Travis Benway is hereby appointed to the position of Public Safety Telecommunications Officer effective upon a successful background check; and

BE IT FURTHER RESOLVED, that Travis Benway be compensated at the annual salary of \$45,000.00.

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R 224-2023 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN DEVIN LISKOWICZ AS PART-TIME, PAID INTERN FOR THE POLICE DEPARTMENT

WHEREAS, the Police Chief and Personnel Director have recommended the appointment of Devin Liskowicz as part-time paid Intern for the Madison Police Department; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Devin Liskowicz, as part-time paid Intern for the Madison Police Department, at the hourly rate of \$16.00 per hour, is hereby approved, retroactive to July 10, 2023

R 225-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONSTRUCTION CONTRACT FOR THE MADISON WELL B FACILITY IMPROVEMENT PROJECT TO VNL, INC.

WHEREAS, the Borough of Madison publicly advertised for the Madison Well B Facility Improvements project (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, after the project was bid twice, the Borough negotiated a contract in accordance with N.J. S. A. 40A:11-5 (3); and

WHEREAS, the Purchasing Agent, Borough Engineer and Borough Attorney have recommended that the Borough Council award the contract to VNL, Inc. of Whitehouse Station, NJ, in the amount of \$914,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available for this purpose in Ordinances 31-2022 and 41-2023, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The contract for the Madison Well B Facility Improvements project is hereby awarded to VNL, Inc. of Whitehouse Station, NJ in the amount of 914,000.00.

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

R 226-2023 RESOLUTION OF THE BOROUGH OF MADISON REJECTING THE SUBMISSIONS FOR 2023 COOK AVENUE PARKING LOT RECONSTRUCTION PROJECT REBID AND AUTHORIZING NEGOTIATION

WHEREAS, the Borough of Madison publicly advertised for rebids for the 2023 Cook Avenue Parking Lot Reconstruction in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, bids for the rebid were received and opened on July 25, 2023. The lowest responsible and responsive bid again substantially exceeds the cost estimate and funds appropriated for this purpose; 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 (b), 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 July 25, 2023 for the 2023 Cook Avenue Parking Lot Reconstruction project are hereby rejected for the reason set forth herein and the Borough Engineer and Qualified Purchasing Agent are authorized to negotiate a contract.

R 227-2023 RESOLUTION OF THE BOROUGH OF MADISON AMENDING PROFESSIONAL SERVICES CONTRACT FOR THE MADISON LIBRARY INTERIOR RENOVATION SERVICES TO ARCARI & IOVINO ARCHITECTS, P.C.

WHEREAS, a professional services contract was previously awarded to Arcari & Iovino Architects, P.C., for professional services for upgrades to the Madison Library Interior Renovation Services project which contract was authorized pursuant to R 64-2023, in the amount of \$210,000.00; and

WHEREAS, the Director of the Public Library and the Purchasing Agent have recommended an amendment to the existing professional services contract with Arcari & Iovino Architects, P.C., be made to include additional professional services in an amount not to exceed \$30,000.00 for enhanced professional inspection services; and

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WHEREAS, such services constitute a professional service for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5-1(a); and

WHEREAS, the Chief Financial Officer/Assistant Borough Administrator has attested to the availability of funds in an amount not to exceed a total of \$240,000.00 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, as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a \$30,000.00 amendment to the professional services contract with Arcari & Iovino Architects, P.C. for professional services for upgrades to the Madison Library Interior Renovation Services in a total amount not to exceed \$240,000.00 in a form acceptable to the Borough Attorney.

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 228-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO ASPLUNDH ENGINEERING SERVICES FOR AN ARC FLASH HAZARD STUDY IN AN AMOUNT NOT TO EXCEED \$48,400.00

WHEREAS, the Electric Utility Superintendent has recommended awarding a professional services contract for engineering services for an Arc Flash Hazard Study, for the Kings Road and James Park Substations; and

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

WHEREAS, the Electric Utility Superintendent has recommended that the Borough Council award the contract to Asplundh Engineering Services in an amount not to exceed \$48,400.00; and

WHEREAS, Asplundh Engineering Services has submitted to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, funds are available in Ordinance 45-2022 or in any other account that may be deemed appropriate by the Chief Financial Officer or his

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designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with Asplundh Engineering Services for engineering services for an Arc Flash Hazard Study in an amount not to exceed \$48,400.00, such contract to be in a form approved by the Borough Attorney.

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 229-2023 RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT WITH AKBAR MOSQUE, INC. FOR THE DEVELOPMENT OF 120 MADISON AVENUE (BLOCK 3101, LOT 21)

WHEREAS, Akbar Mosque, Inc. is the current Owner and the Developer of certain property located at 120 Madison Avenue and designated as Block 3101, Lot 21 (the "Property"); and

WHEREAS, Developer's predecessor in title, Waseem Chaudhary (the "Chaudary") previously obtained preliminary and final site plan approval from the Borough of Madison Planning Board (the "Board"), pursuant to a Resolution adopted on November 16, 2021; and

WHEREAS, the Developer is required to post Performance Guarantees for the development of the Property pursuant to the terms of the Resolution as adopted by the Board; and

WHEREAS, the Developer is desirous of entering into a Developer's Agreement with the Borough of Madison (the "Borough") with respect to the development of the Property in accordance with the provisions of the Borough's Ordinances which, among other things, requires that prior to the granting of a building permit, the Developer shall have installed or shall have furnished performance guarantees for the ultimate installation of the several improvements

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therein mentioned, and that no final plat shall be approved by the Board until the completion of all such required improvements has been certified to the Board by the Borough Engineer, unless satisfactory performance guarantees to cover the cost of all such improvements or the incomplete portions thereof and deposits for Borough professional costs are filed by the Developer; and

WHEREAS, a Developer’s Agreement has been drafted that is mutually acceptable to the Developer and the Borough.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the Developer’s Agreement with Akbar Mosque, Inc. in a form acceptable to the Borough Counsel.
2. The Developer’s Agreement is expressly conditioned upon acceptance by the Borough of performance guarantees and escrow deposits.
3. A copy of this Resolution shall be provided to the Borough Planning Board Secretary, the Borough Engineer, and Akbar Mosque, Inc. for their information and guidance.
4. A copy of the Developer’s Agreement shall remain on file in the Borough Clerk’s office and available for public inspection.
5. This Resolution shall take effect immediately.

R 230-2023 RESOLUTION OF THE BOROUGH OF MADISON GRANTING TURN THE TOWNS TEAL® PERMISSION TO TIE RIBBONS AROUND TREES ON THE STREETS OF MADISON FROM SEPTEMBER 1, 2023 THROUGH SEPTEMBER 30, 2023 IN SUPPORT OF THEIR TURN THE TOWNS TEAL CAMPAIGN TO FIGHT OVARIAN CANCER

WHEREAS, Turn the Towns Teal® has requested permission for ribbons to be tied on Borough street trees on the main streets of the Borough from September 1, 2023 to September 30, 2023 in support of their “Turn the Towns Teal Campaign” to fight ovarian cancer; and

WHEREAS, the Borough Council has determined to grant this request with the understanding that the ribbons be removed by October 3, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request for ribbons to be tied on Borough street trees from September 1, 2023 to September 30, 2023 in

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support of the “Turn the Towns Teal Campaign” to fight ovarian cancer is hereby approved.

BE IT FURTHER RESOLVED that Turn the Towns Teal will arrange for removal of the ribbons no later than October 3, 2023.

R 231-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING 38th ANNUAL GIRALDA FARMS RUN ON SUNDAY, NOVEMBER 12, 2023

WHEREAS, the Barwick Group has requested permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run; and

WHEREAS, the Police Chief recommends approval of this request; and

WHEREAS, the Barwick Group has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Barwick Group is hereby granted permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run to be conducted on Sunday, November 12, 2023, between the hours of 6:00 a.m. and 3:00 p.m. subject to the condition that the Barwick Group provide the Borough Clerk with the required Certificate of Insurance before the date of the race and reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

R 232-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF PUBLIC PARKING LOT NUMBER ONE BY THE ROTARY CLUB OF MADISON FOR A PUBLIC SHREDDING EVENT ON SEPTEMBER 30, 2023

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number one on Saturday, September 30, 2023 between the hours of 8:00 a.m. and 12:00 p.m. for a public shredding event; and

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

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WHEREAS, the Rotary Club has submitted a Special Event Permit 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 Rotary Club of Madison is hereby given permission to hold a public shredding event at Madison public parking lot number one, on September 30, 2023, between the hours of 8:00 a.m. and 12:00 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 233-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTICIPATION IN THE DIVERSITY, EQUITY AND INCLUSION COMMITTEE EVENT TO BE HELD SEPTEMBER 9, 2023

WHEREAS, the Councils of the Borough of Madison and the Borough of Chatham continue to operate and provide services to their communities; and

WHEREAS, the Borough of Madison would like to close Kings Road on September 9, 2023 for the Diversity, Equity and Inclusion Committee event begun in 2022; and

WHEREAS, members of each Council would like to hold a joint event, on Saturday, September 9, 2023, to show unity between the towns as well as support diversity within each town.

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 Council agree to work with the Borough of Chatham to plan a Diversity, Equity and Inclusion event to be held September 9, 2023.

R 234-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT AND MUTUAL RELEASE WITH MIDWEST CONSTRUCTION, INC.

WHEREAS, certain matters have arisen pertaining to the 2020 Road Reconstruction program (Glenwild Road Reconstruction project) with Midwest Construction, Inc. and the Borough of Madison (“Borough”); and

WHEREAS, Midwest Construction, Inc. has agreed to a Settlement Agreement and Mutual Release; and

WHEREAS, the Borough Council has reviewed the Settlement Agreement and Mutual Release and finds it satisfactory.

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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 terms and conditions of the Settlement Agreement and Mutual Release executed by Midwest Construction, Inc. on August 14, 2023, attached hereto; and

2). The Borough hereby authorizes the Mayor to execute the Settlement Agreement and Mutual Release; and

3). That this resolution shall take effect immediately.

R 235-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING THE NEW UNUSED 2022 FORD EXPLORER HYBRID POLICE ADMIN VEHICLE BID TO NIELSEN FORD OF MORRISTOWN, NEW JERSEY

WHEREAS, the Borough of Madison publicly advertised for a new unused 2022 Ford Explorer Hybrid Police Admin Vehicle (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the sole bid was submitted by Nielsen Ford of Morristown, New Jersey, in the amount of \$57,155.00; and

WHEREAS, the Police Chief, Qualified Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Nielsen Ford of Morristown, New Jersey, in the amount of \$57,155.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available for this purpose in the Police Outside Duty Trust account.

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 a new unused 2022 Ford Explorer Hybrid Police Admin Vehicle is hereby awarded to Nielsen Ford of Morristown, New Jersey, based upon its bid in the amount of \$57,155.00; and

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

R 236-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING THE NEW UNUSED 2023 FORD POLICE INTERCEPTOR UTILITY VEHICLE BID TO NIELSEN FORD OF MORRISTOWN, NEW JERSEY

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WHEREAS, the Borough of Madison publicly advertised for a new unused 2023 Ford Police Interceptor Utility Vehicle (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the sole bid was submitted by Nielsen Ford of Morristown, New Jersey, in the amount of \$50,303.00; and

WHEREAS, the Police Chief, Qualified Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Nielsen Ford of Morristown, New Jersey, in the amount of \$50,303.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available for this purpose in the Police Outside Duty Trust account.

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 a new unused 2023 Ford Police Interceptor Utility Vehicle is hereby awarded to Nielsen Ford of Morristown, New Jersey, based upon its bid in the amount of \$50,303.00; and

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

R 237-2023 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING WATER DEPARTMENT MATERIALS BID TO CAPITAL SUPPLY
CONSTRUCTION PRODUCTS, LLC IN THE AMOUNT OF \$15,391.99 AND
FERGUSON WATERWORKS OF HOWELL, NJ IN THE AMOUNT OF \$17,505.60

WHEREAS, the Borough of Madison publicly advertised for bids for the purchase of Water Department materials in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, two (2) bids were received from Capital Supply Construction Products, LLC of Wayne, NJ and Ferguson Waterworks of Howell, NJ for various water department materials for the Water Department; and

WHEREAS, the Qualified Purchasing Agent and Borough Attorney have recommended that the Borough Council award a contract for certain water department materials for the Water Department to Capital Supply Construction in the amount of \$15,391.99 and Ferguson Waterworks in the amount of \$17,605.60; and

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WHEREAS, the Chief Financial Officer has attested that funds will be available for this purpose in Water Field Operations Account 502.

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

1. The contract for the purchase of certain water department materials for the Water Department is hereby awarded to Capital Supply Construction Products in the amount of \$15,391.99 and Ferguson Waterworks in the amount of \$17,605.60.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with Capital Supply Construction Products, LLC and Ferguson Waterworks in a form acceptable to the Borough Attorney.

R 238-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE APPLICATION OF THE PROVISION OF SUBTITLE I, TITLE 39 OF THE REVISED STATUTES OF NEW JERSEY TO 14 MAIN STREET

WHEREAS, it is deemed to be in the interest of public safety and good order that the Police Department of the Borough of Madison be empowered to enforce the provisions of Subtitle 1, Title 39 of the revised statutes within and upon the driveways, walkways and parking areas of the premises known as 14 Main Street (Tax Block 1502, Lot 13); and

WHEREAS, said premises are owned by Goldman Builders, Inc., 1200 Tices Lane, East Brunswick, N.J. 08816 and are operated as a semi-public commercial office center; and

WHEREAS, the owner of said real property has made written request of the Borough of Madison for enforcement of the traffic laws of N.J. within and around 14 Main Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison that the provisions of Subtitle 1, Title 39, of the revised statutes of N.J. be and hereby are made applicable to the driveways, walkways, and parking areas of the real property known as 14 Main Street, Madison, N.J.

Such authorization is subject to the approval of the Director of the New Jersey Motor Vehicle Commission, in accordance with Title 39:5A-1 of the revised statutes of N.J.

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R 239-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE MADISON EDUCATION FOUNDATION

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 are hereby approved:

MADISON EDUCATION FOUNDATION

I.D. No. 274-5-36429

R.A. No. 1555– Off-Premise 50/50, Date of Raffle – October 7, 2023

R 240-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE MADISON ROTARY CLUB FOUNDATION INC.

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

MADISON ROTARY CLUB FOUNDATION INC

I.D. No. 274-8-42881

R.A. No. 1555 – Off-Premise 50/50

Date of Raffle – December 19, 2023

R 241-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON HIGH SCHOOL PTSO

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

MADISON HIGH SCHOOL PTSO

I.D. No. 337-4-35507

R.A. No. 1557 – On-Premise 50/50

Date of Raffle – October 1, 2023

R 242-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDED THE MADISON PUBLIC LIBRARY INTERIOR RENOVATIONS BID TO DASKAL, LLC

WHEREAS, the Free Public Library of the Borough of Madison, hereinafter referred to as the Library, passed Resolution 2022-15 codifying the following, and.

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WHEREAS, the Library wishes to renovate the Library building, hereinafter referred to as the Project and the initial cost estimate for the Project including soft costs and construction costs is \$2,594,000, and

WHEREAS, the Borough of Madison, hereinafter referred to as the Borough, has previously appropriated \$457,000 from General Capital to support the Project, and

WHEREAS, the Library has received a grant award of \$914,000 from the New Jersey State Library, hereinafter referred to the Grant, to financially support the Project, and

WHEREAS, the Library is responsible for any cost of the Project that exceed the \$457,000 appropriation from the Borough and the \$914,000 grant from the New Jersey State Library, which would amount to \$1,223,000 based on the initial cost estimate of \$2,594,000, and

WHEREAS, the Library, with contributions from the Library Foundation, has the financial resources to pay the \$1,223,000 as well as reasonable cost overruns of the Project, and

WHEREAS, the Grant award will be paid 25% upon awarding the construction contract and 75% as reimbursements upon proof submitted of work completed and paid, and

WHEREAS, the Borough is the fee owner of the property on which the Library building is located and Library and Borough have agreed that the Borough Purchasing Department will manage the bid process with the Library making the final determination on the scope of the contract, accepting bid alternates, and change orders, if any, and

WHEREAS, the Library and Borough have agreed that in light of the Borough's standing as the fee owner of the property, the Borough will be the nominal contracting entity that enters into an agreement with the winning bidder, with the Library retaining responsibility for and making all substantive decisions with respect to the Project other than with respect to the \$457,000 appropriated by the Borough for the Project, and

WHEREAS, the Library Architect and Library Board will determine the timing and amount of payments made to the Contractor, and

WHEREAS, that the Library agrees to promptly pay to the Borough and the Borough will in turn promptly pay to the contractor, professionals and other payees for any amounts for the Project including change orders, soft costs and hard construction costs that exceed the \$457,000 appropriated by the Borough and the \$914,000 in State Library grant funds, and

WHEREAS, the Library will promptly submit all necessary Grant documentation to the State Library for reimbursement and the Library will promptly pay the Borough any Grant funds upon receipt from the State Library.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute on behalf of the Borough a grant agreement with the Library codifying the above mentioned terms and that said agreement will be in a form and manner as approved by the Borough Attorney.

R 243-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING THE MADISON PUBLIC LIBRARY INTERIOR RENOVATIONS BID TO DASKAL, LLC

WHEREAS, the Borough of Madison publicly advertised for the Madison Public Library Interior Renovations project (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Borough received ten (10) bids; and

WHEREAS, the lowest qualified bid was submitted by Daskal, LLC of Butler, NJ, in the amount of \$2,048,000.00 plus Alternate Bid No. 1 for sheet floor finishes in the amount of \$184,000.00; and

WHEREAS, the Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Daskal, LLC of Butler, NJ, in the amount of \$2,048,000.00 plus Alternate Bid No. 1 for floor finishes in the amount of \$184,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available for this purpose in Ordinances 4-2022, in the amount of \$456,987.00 from the General Capital Improvement Fund and the remainder from the Madison Public Library pursuant to a Disbursement Agreement or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The contract for the Madison Library Interior Renovations project is hereby awarded to Daskal, LLC of Butler, NJ in the amount of \$2,048,000.00 plus Alternate Bid No. 1 for floor finishes in the amount of \$184,000.00.

2. This contract award is expressly contingent upon receipt of the above referenced executed Disbursement Agreement from the Madison Public Library contractually obligating them to fund all project costs over \$456,987.00.

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

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R 244-2023 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2023

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

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

WHEREAS, the Borough of Madison will receive \$29,351.42 FY 2022 Assistance to Firefighters Grant for the purchase of a Lucas Chest Compression System and wishes to amend its 2023 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$30,819.00, which item is now available as a revenue from:

Miscellaneous Revenues

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

State and Federal Revenues Off-Set with Appropriations; and

BE IT FURTHER RESOLVED that the like sum of \$29,351.42 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 3.5% Caps

State and Federal programs Off-set by Revenues:

FY 2022 Assistance to Firefighters Grant (AFG)

Other Expenses	\$29,351.42
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BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

R 245-2023 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2023

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

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

WHEREAS, the Borough of Madison will receive \$6,610.00 for FY 2024 Morris County Municipal Alliance grant and wishes to amend its 2023 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$6,610.00, which item is now available as a revenue from:

Miscellaneous Revenues

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

Revenues Off-Set with Appropriations; and

BE IT FURTHER RESOLVED that the like sum of \$6,610.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 3.5% Caps

State and Federal programs Off-set by Revenues:

FY 2024 Morris County Municipal Alliance Grant

Other Expenses	\$6,610.00
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BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Hoover, seconded by Ms. Ehrlich and carried, the following vouchers of the Borough of Madison were approved for payment, and the supporting documentation of said vouchers was made part of the Supplemental Minute Book.

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Current Fund	\$850,341.44
General Capital Fund	400,652.89
Electric Operating Fund	459,727.82
Electric Capital Fund	100,583.66
Water Operating Fund	59,670.85
Water Capital Fund	42,000.00
Trusts	<u>245,869.35</u>
Total	<u>\$2,158,846.01</u>

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

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

Nays: None

Absent: Mr. Landrigan, Mr. Forte

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved September 11, 2023 (EO)