

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

**September 11, 2023 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 11<sup>th</sup> day of September, 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, via teleconference

Council Members:

John F. Hoover  
Rachael Ehrlich  
Robert Landrigan  
Eric Range  
Thomas Haralampoudis  
John J. Forte

Also Present:

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

Absent: Raymond M. Codey, Borough Administrator, excused

**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)

August 14, 2023

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

PERSONNEL MATTERS (2)

COURT ADMINISTRATOR

POLICE HIRING PROCESS

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

LITIGATION MATTERS (3)

DREW UNIVERSITY

GIRALDA FARMS

MUNICIPAL LAND USE CH, 195 AMENDMENT

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

CONTRACT MATTERS (3)

MASONIC LODGE

MVAC

LABOR RELATIONS UPDATE

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. Mr. Conley remembered the following Madison residents, requesting a moment of silence: Sandra Kosakowski, Shade T. Cronan, Jennifer Lyle and Rick Grauss

Mayor Conley noted that Council will take a few minutes to remember the six Madison residents who were lost on September 11, 2001. Afterward, all observed a moment of silence to remember these residents and the other 2,990 individuals and first responders killed in the horrific 9/11 attack on our nation, that took place 22 years ago.

Council President John Hoover remembered **James L. Crawford, Jr.** He was an equity trader at Cantor Fitzgerald, working on the 104th floor of 1 World Trade Center. By all accounts, he was an active sportsman, and friend to all, according to a profile published in the New York Times. Crawford's only child, Isabelle will be celebrating her 22nd birthday in November, having been born two months after his death. James would be 55 now.

Ms. Ehrlich remembered Cantor Fitzgerald employee **Timothy Robert Hughes.** He worked on the 105th floor of 1 World Trade Center as a currency options trader in emerging markets. Children Tim, Ken, and Chrissy helped get Hughes involved in coaching youth sports in town. Tim and his wife, Karen, enjoyed renovating old houses, earning an award from the borough for the renovation of their 99-year-old Victorian.

Mr. Landrigan remembered **Patrick J. McGuire** who worked as a money broker for Euro Brokers Inc. on the 84th floor of 2 World Trade Center. Known for his Irish sense of humor, McGuire's wife, Danielle, found a manila envelope of jokes among her husband's insurance papers after his death, the New York Times reported. Patrick left children Sean, Ryan, Mara and Shea.

Mr. Range remembered **Peter M. West,** who worked as a municipal bond broker, also with Cantor Fitzgerald. A resident of Pottersville, he grew up in Madison and graduated from Madison High School. He and his wife, Eileen, had a daughter, Meredith, and a son, Matthew. Outside work, West gravitated toward risks of a

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different sort, such as hang-gliding, skydiving, and cruising the county on his Harley motorcycle, the New York Times reported.

Mr. Haralampoudis remembered **Donald Arthur Peterson**, former head of Continental Electric in New Jersey and a former member of the New Jersey Board of Education, he started working as a Christian missionary with his wife. Donald’s personal Bible, with a handwritten list of people he was praying for, was recovered at the Flight 93 crash site. Donald left behind six children, three from a previous marriage, and had recently become a grandfather. He would be 88 years old now.

Mr. Forte remembered **Jean Hoadley Peterson**, a former nurse, nursing instructor, and volunteer EMT, as well as wife to Donald. Volunteerism, driven by deep faith, filled her and her husband's retirement years. Donald and Jean weren’t supposed to be on United Flight 93, which crashed near Shanksville, Pennsylvania. Headed to a family trip to Yosemite National Park in California, they found seats in Row 14 when they arrived at Newark International Airport early and found their original flight delayed and overbooked. Jean left behind six children, three from a previous marriage, and had recently become a grandmother.

There was a moment of silence observed by all.

Mayor Conley announced the following:

**Employee of the Month for September** is Bonnie Mulcahy for her extra efforts cleaning out and organizing old files at the Hartley Dodge Memorial as well as covering administrative duties in the Planning and Zoning Office.

**Anniversary** September 9, 2023, Mary Marano reached 25<sup>th</sup> anniversary with the Borough of Madison.

**APPROVAL OF MINUTES**

Mr. Range moved approval of the **Executive Minutes of August 14, 2023**. Mr. Hoover seconded the motion, which passed with a unanimous voice call vote recorded.

Mr. Range moved approval of the **Regular Meeting Minutes of August 14, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

**Proclamations**

**Prostate Cancer Awareness Month – September 2023**

Council President Hoover read the following proclamation

*Proclamation  
of the  
Borough of Madison  
Proclaiming*

**PROSTATE CANCER AWARENESS MONTH  
September 2023**

**WHEREAS**, prostate cancer is the most commonly diagnosed cancer in American men and the third leading cause of cancer death behind lung and colon cancer; and

**WHEREAS**, 1 in 8 men are diagnosed with prostate cancer in their lifetime and 1 in 6 African- American men will develop prostate cancer in their lifetime. Overall, African-American men are 1.7 times more likely to be diagnosed with and 2.1 times more likely to die from prostate cancer than white men; and

**WHEREAS**, veterans who were exposed to herbicides like Agent Orange are at an increased risk for developing prostate cancer and are more likely to have an aggressive form of the disease; and

**WHEREAS**, education regarding prostate cancer and early detection strategies is critical to saving lives, preserving and protecting our families as well as reducing the economic and social burden of prostate cancer on families; and

**WHEREAS**, if caught early, prostate cancer has a five-year survival rate of nearly 100%. However, for late-stage prostate cancer the five-year survival rate is 31%; and

**WHEREAS**, many more men will be diagnosed in 2023 at a later stage because of delayed screenings and treatment due to Covid-19; and

**WHEREAS**, all men are at risk for prostate cancer and we encourage the citizens of Madison to increase the importance of prostate awareness and screenings.

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim September 2023 as **Prostate Cancer Awareness Month** in the Borough of Madison.

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**Robert H. Conley, Mayor**  
September 11, 2023

**Ovarian Cancer Awareness Month – September 2023**

Council President Hoover read and presented the following proclamation to Johnathan Sagat of Rockaway, NJ on behalf of his sister.

**PROCLAMATION**  
of the  
**Borough of Madison**  
Proclaiming  
**OVARIAN CANCER AWARENESS MONTH**  
**September 2023**

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**WHEREAS**, Ovarian cancer is the 5<sup>th</sup> leading cause of death among women and the American Cancer Society estimates each year approximately 19,710 women will be diagnosed with ovarian cancer and 13,270 individuals will die from the disease nationwide, including 560 new cases and 350 deaths in New Jersey; and

**WHEREAS**, in the United States, a woman's lifetime risk of being diagnosed with ovarian cancer is about 1 in 78; and

**WHEREAS**, due to vague symptoms and the lack of reliable early detection tests, most women are not diagnosed until Stage III or later, when the cancer has already begun to spread to the lymph nodes and outside of the pelvis; and

**WHEREAS**, although the five-year survival rate for Stage I ovarian cancer is over 90 percent, only 15 percent of ovarian cancers are diagnosed at this early stage, and the five-year survival rate for late-stage ovarian cancer is below 30 percent; and

**WHEREAS**, while a mammogram can detect breast cancer and a pap smear can detect cervical cancer, there is no reliable early detection test for ovarian cancer; and

**WHEREAS**, women's lives can be saved through increased public awareness of ovarian cancer and its risk factors, signs, and symptoms; and

**WHEREAS**, this month, the Borough of Madison joins all those who are battling ovarian cancer, those who have lost their lives to the disease, their loved ones, and our state's many dedicated healthcare workers in spreading awareness, committing to public education, and embracing hope for better diagnoses, treatments and a cure.

**NOW, THEREFORE, I**, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim September 2023 as Ovarian Cancer Awareness Month and encourage all residents to support the cause that so deeply impacts families in every community across our country.

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**Robert H. Conley, Mayor**

September 11, 2023

## ***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<sup>th</sup>, this fall. A last call for sponsors and vendors has been sent out! Your paperwork should be returned as soon as possible if you are participating. 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 Madison Car Show is scheduled for Saturday, October 7<sup>th</sup>. There will be no rain date. Scarecrows decorated by the businesses will be on display on Waverly Pl. from October 18-Nov.1. Halloween Parade & Magic Show is scheduled for Saturday, October 28<sup>th</sup>, from 12:30 pm-:003 pm. The Taste of Madison has been scheduled for Monday, March 4<sup>th</sup>, at the Madison Hotel. The final outdoor concert featuring Pyrenesia, a

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gypsy jazz band, was on September 8, 2023. Attendance at the six concerts averaged 80 people. Fifty-six musicians were engaged for the summer. The next open mic is the Music Open Mic, which will take place on September 13<sup>th</sup> at 8:00 pm. The Madison Public Library and The Adult School will be teaching a total of nine classes during the day this fall. The weekly drop-in Senior Mahjong and Canasta games continue on Tuesdays with an average of twenty players per session.

### **Public Works and Engineering**

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

The Engineering Department reports that the new pickleball court at the MRC is almost complete, annual striping work for various roadways authorized vendor under the Morris County Co-Operative Pricing Council program, is nearing completion and work continues on the Memorial Park Trail improvements. A contract for improvement to Well B has been awarded. For the Department of Public Works, Ms. Ehrlich noted two first responders from Public Works who assisted on September 11, 2001 and the weeks after, took part in the Madison memorial of blowing the Hartley Dodge Memorial horn in memory of the tragic incidents that took place that day. Robert Duffy, who responded to the World Trade Center with the Morris Township Police Department to search for victims and Ken O'Brien, who assisted Metuchen Fire Dept. with funerals for NYC Firefighters and memorials both as a Firefighter and a Bagpiper. The Parks Department has started installing wood mulch/carpet at the dog park as a recommendation from the Parks Committee for better footing during wet weather. The Roads Dept. cleaned and opened up the rain gardens at the MRC to allow for better flow. River stone is used to slow the flow and allow rainwater to infiltrate to the aquifer. The annual Environmental House and Garden Tour, to support the Friends of the Madison Public Library was a very well attended event and Ms. Ehrlich thanked the group of volunteers that made the day a success.

### **Utilities**

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

For the Electric Utility, the Stand-by Crew was called out to 15 Leigh Drive for a broken branch on their house service. On Tuesday, 8/29/2023 at 8:20 am, a garbage truck knocked down a utility pole, transformer, wires, and fire hydrant on Holden Lane. The entire department worked until 8:15 pm to remove the garbage truck from the tangled mess of wires, replace the utility pole, hang a new transformer, and transfer our equipment to restore power to Holden Lane. Early Saturday morning, of September 6<sup>th</sup>, the Stand-by Crew responded to a car, utility pole, fire hydrant accident at the intersection of Woodland Road and Dellwood Parkway. The Electric Department hooked up the underground service at 16 Waverly Place and set a new utility pole at the library parking lot for electric service to the temporary trailer that will be used by the library staff during renovation. A new streetlight will also be installed on the pole. The Department has been busy cutting down broken branches all around town that endanger our utility wires and continues to complete and address regular services, street light repairs, commercial district post head upgrades, pole transfers, and customer concern calls. The Water Department replaced a hydrant on Holden Lane due to a motor vehicle accident. The water service to the drinking fountains at the MRC ruptured, and was excavated and repaired. The Madison Water Department's annual fire hydrant and water main flushing program will begin on or about the week of September 18<sup>th</sup> and is estimated to last six weeks.

While hydrant flushing typically will not interrupt water service, residents may notice a temporary drop in water pressure while crews are working in the area. There is

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also the possibility that water may become temporarily discolored. This is normal. The discolored water does not pose a health hazard. If discolored water occurs, simply run the cold water for a few minutes until it clears. If you have any questions regarding hydrant flushing, please call the Madison Water Department.

### **Public Safety**

Mr. Range, Chair of the Committee, made the following comments: Madison Police Department personnel took part in the Morris County September 11th vigil that was held at the Morris County 9/11 Memorial. We will keep all who made the ultimate sacrifice in our thoughts and prayers. The Police remind residents to obey all crossing guards, yield to pedestrian traffic, and obey the posted speed limits, as school are back in session. You will see officers in the school zones enforcing all of the above violations. The Madison Police Traffic Safety Bureau has been working with Kings Road residents regarding speeding complaints. There was a traffic study this past August that is available on the rosenet webpage (under the Traffic Safety Bureau tab). All Madison Police Department personnel are currently performing mandatory training on the topic of Law Enforcement and the Asian American Pacific Islander (AAPI) Community. For the month of August, the Fire Department has responded to a total of 106 and performed 74 inspections. The Department has recently responded to several motor vehicle incidents. One involved a garbage truck that took out both a fire hydrant and a telephone pole that resulted in a power and water outage on Holden Lane. There was also a serious accident at the intersection of Woodland and Prospect. A woman and 2-year-old child were not seriously injured due to seatbelts and a properly installed and used car seat. On August 20th the Department responded to a 3-alarm structure fire on Ridgedale Ave in Morristown. On Friday September 8th, a heavy thunderstorm rolled into Madison. A house on Keep Street was stuck by a large tree branch injuring a woman in her home. Another large tree branch fell on a home on Wilson Lane resulting in damage to the home and vehicle in the driveway.

### **Health**

Mr. Haralampoudis, Chair of the Committee, made the following comments: Members of the Madison Board of Health attended the annual National Night Out on August 1<sup>st</sup>, providing information to residents regarding the Health Department. The Board continues work on an anti-vaping program, aiming education at the high school level. An ordinance will be introduced in the near future. The Department continues monthly blood pressure clinics the last Thursday of each month, and continues inspections at local businesses.

### **Finance and Borough Clerk**

Mr. Forte, Chair of the Committee, made the following comments: From the Finance Department, the 2024 budget process has started. Over the next month, Administration will be meeting with Department Heads to discuss budgets. This process should be completed by the end of October and it serves as the foundation for the Chief Financial Officer to build the budget. We anticipate following a schedule similar to last year with a public presentation on Capital in December and the Open Space Trust Fund in early January. From the Tax Collector, the 3<sup>rd</sup> quarter tax collection cycle is over, and the Tax Collector reports that over 98% of the taxes due have been collected. The annual Tax Sale process is starting. The sale will be held on December 7<sup>th</sup>, and warning letters were sent out today to property owners who still owe a balance on their 2022 taxes or utilities. Any properties with prior-year balances still outstanding on the day of sale will have a lien placed on their property. The tax sale process is a way for municipalities in New Jersey to obtain the full amount of property taxes and other charges needed to

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support the annual budget, while providing the property owner with additional time to pay off what they owe. Anyone with questions about the Tax Sale process is encouraged to contact the Tax Collector's office for more information.

**COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Email dated September 9, 2023, from Cory Roffelsen of Green Village Road regarding 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.**

**Patrick Wisnom; Kings Road**, offered his support for proposed Ordinance 48-2023, reducing the speed limit along Kings Road, and thanked the Madison Police Department and Mayor and Council for their support.

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

**AGENDA DISCUSSIONS**

**09/11/2023-1 DREW FOREST UPDATE**

Mayor Conley provided information regarding the purchase of the Drew Forest, including the application to Morris County Open Space Preservation in the amount of \$10 million, along with letters of support from Senator Anthony Bucco and Assemblywoman Mikie Sherrill. Mayor Conley hopes to share a video, submitted as part of the application, with residents in the future. Mayor Conley expressed many thanks to the Friends of the Drew Forest for their efforts.

**09/11/2023-2 AMENDING CH.185 OF THE BOROUGH CODE – KINGS ROAD SPEED LIMIT**

Police Captain Joseph Longo presented information regarding reduction of the speed limit along Kings Road, noting a study completed recently, observing traffic patterns and speeds. Capt. Long recommends introduction of an ordinance to reduce the speed on Kings Road from between Prospect Street and the Madison Borough/Chatham Borough corporate line as in other residential areas. New signage will also be installed. Ordinance 48-2023 listed for Introduction

**ADVERTISED HEARINGS - None**

**INVITATION FOR COMMENT (2 of 2)**

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



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**Colette Crescas; Albright Circle**, representing the Friends of the Drew Forest, noted attendance at the Morris County Open Space Preservation meeting held September 6<sup>th</sup>, of over 40 supporters of the Drew Forest. Ms. Crescas also noted Environmentalist Lisa Leon comments on her experience at Drew University, and the many organizations and municipalities that have sent letters of support.

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

**INTRODUCTION OF ORDINANCES**

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of September 27, 2023 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance 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 45-2023 ORDINANCE OF THE BOROUGH OF MADISON  
RESCINDING CHAPTER 195-42, OF THE BOROUGH CODE ENTITLED  
“APPEALS” PERMITTING REVIEW BY BOROUGH COUNCIL OF PLANNING  
BOARD FINAL DECISIONS

**WHEREAS**, Chapter 195, Section 42, A through H of the Borough Code permits review of Planning Board Final Decisions by the Borough Council; and

**WHEREAS**, the Borough Attorney has recommended that Chapter 195, Section 42 be rescinded as the appropriate forum for appeals of land use decisions is the judicial system.

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey that Chapter 195, Section 42 of the Borough Code be rescinded; and

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

**SECTION 1:** That Chapter 195, Section 42 entitled "Appeals" of the Borough code be amended to remove Chapter 195, Section 42 in its entirety.

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

Mr. Range moved that Ordinance 45-2023, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 46-2023 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$275,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT  
FUND FOR THE PURCHASE OF FIVE (5) NEW PAD MOUNT TRANSFORMERS  
AND ACCESSORIES

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$275,000.00 from the Electric Capital Improvement Fund for the purchase of five (5) new Pad Mount Transformers and accessories; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$275,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$275,000.00 from the Electric Capital Improvement Fund for the purchase of five (5) new Pad Mount Transformers and accessories.

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

**SECTION 1:** The amount of \$275,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of five (5) new Pad Mount Transformers and accessories.

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

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

Mr. Landrigan moved that Ordinance 46-2023, which the Borough Clerk read by title, be adopted. Mr. Range seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 47-2023 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 34, OF THE CODE OF THE BOROUGH OF MADISON  
ENTITLED "POLICE DEPARTMENT," ESTABLISHING PROMOTION  
PROCEDURES FOR THE RANKS OF POLICE CHIEF, LIEUTENANT AND  
SERGEANT AND ESTABLISHING A PROCEDURE FOR ACTING  
APPOINTMENTS AND HIRING POLICE OFFICERS

**WHEREAS**, the Borough Council has determined to amend Chapter 34 of the Borough Code, Police Department, Section 34-2(I), entitled "Procedure for

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Hiring New Police Officers” to set forth the procedures for hiring new police officers;  
and

**WHEREAS**, the Borough Council has considered the proposed amendment to the Police Department Ordinance and wishes to amend the Code.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 34 of the Borough Code entitled “Police Department” shall be amended as follows:

**SECTION 1:** Section 34-2(l), entitled “Procedure for Hiring New Police Officers” is hereby amended as follows:

§ 34-2(l). Procedure for Hiring New Police Officers

ADD:

**I.** (1)(a)[2] Accept applications from existing Borough of Madison Police Department personnel (e.g., dispatchers, special law enforcement officers), **or any other interested applicant.**

**I.** (2)(g) Applicants ~~possessing a valid New Jersey Police Training Commission certificate~~ will be subject to the Departmental interview process and ~~not required to take a written examination,~~ **the Chief of Police may determine if a written exam is required.**

**SECTION 2:** All other provisions of Section 34-2 that are not amended herein shall remain the same.

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

Mr. Range moved that Ordinance 47-2023, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

**ORDINANCE 48-2023 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 185 OF THE BOROUGH CODE, SCHEDULE XVI  
ENTITLED “SPEED LIMITS” TO REDUCE THE SPEED LIMIT ON KINGS ROAD**

**WHEREAS**, the Police Department and Borough Engineer have recommended amending Chapter 185 of the Borough Code, Schedule XVI (§185-44), entitled “Speed limits” to reduce the speed limit on Kings Road from 30 miles per hour to 25 miles per hour; and

**WHEREAS**, the Borough Council has considered the proposed amendment to the Borough Code and wishes to amend the Code.

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**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 185 of the Borough Code entitled “Vehicles and Traffic” shall be amended as follows:

**SECTION 1:** Schedule XVI, (Section 185-44), entitled “Speed limits” is hereby amended as follows:

<b>Name of Street</b>	<b>Speed Limit</b>	<b>Location</b>
Kings Road	25 mph	Between Prospect Street and the MadisonBorough/Chatham Borough corporate line

**SECTION 2:** All other provisions of the Ordinance remain unchanged.

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

Mr. Range moved that Ordinance 48-2023, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

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

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

R 246-2023 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING BRIANA DIAMOND TO THE POSITION OF MUNICIPAL COURT ADMINISTRATOR FOR THE JOINT MUNICIPAL COURT OF MADISON, THE CHATHAMS, AND MORRIS TOWNSHIP

**WHEREAS**, the Borough Administrator, Chief Financial Officer/Assistant Borough Administrator, Personnel Director and Presiding Judge Jonathan Rosenbluth recommend the appointment of Briana Diamond to the position of Municipal Court Administrator, effective October 2, 2023; and

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

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**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Briana Diamond is hereby appointed to the position of Municipal Court Administrator, effective October 2, 2023, at an annual salary of \$100,000.00.

**BE IT FURTHER RESOLVED** that Ms. Diamond is added as a signatory on all Joint Court bank accounts.

**R 247-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AGREEMENTS BETWEEN THE BOROUGH OF MADISON AND THE MADISON VOLUNTEER AMBULANCE CORP REGARDING THE 2022 AMBULANCE**

**WHEREAS**, the Borough Administrator has recommended that the Borough Council approve execution of a Memorandum of Understanding and a Lease regarding a 2022 Ford E-450, Horton 553, Type III Ambulance (the “Ambulance”) owned by the Madison Volunteer Ambulance Corps; and

**WHEREAS**, the Borough Council has determined to approve the execution of the Memorandum of Understanding and Lease attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that the Mayor is hereby authorized to execute on behalf of the Borough of Madison the Memorandum of Understanding and Lease with the Madison Volunteer Ambulance, in a form approved by the Borough Attorney.

**R 248-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ESTABLISHMENT OF \$100 CHANGE FUND FOR USE BY THE UTILITY BILLING OFFICE**

**WHEREAS**, in the course of daily business it is necessary to make change for the residents and property owners of the Borough of Madison who desire to make cash payments; and

**WHEREAS**, the Borough of Madison has established change funds in the Tax Collector’s Office in order to provide change for cash payments of taxes and utilities; and

**WHEREAS**, the Chief Financial Officer has recommended that an additional change fund in the amount of \$100 be established for use by the Utility Billing department;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a new \$100 change fund shall be established for use by the Utility Billing department.

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**BE IT FURTHER RESOLVED**, that the fund shall be subject to periodic audit by the Finance Department; and

**BE IT FURTHER RESOLVED**, that said change fund is to be used only to make change for cash payments and shall not be used to purchase goods and/or services of any kind.

R 249-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN ELECTRIC UTILITY EASEMENT AGREEMENT WITH VARIOUS PROPERTY OWNERS ADJACENT TO 14 LINCOLN PLACE IN THE BOROUGH OF MADISON

**WHEREAS**, the Borough Administrator has recommended the execution of an Electric Utility Easement Agreement between 42 Lincoln Associates, LLC, Alana & Kenneth Spingarn, Madison Main Associates, LLC, Madison Movie Development, LLC and the Borough of Madison; and

**WHEREAS**, the Council of the Borough of Madison 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 Mayor and Borough Clerk are authorized to execute an Electric Utility Easement Agreement between the listed property owners and the Borough of Madison as described herein in a form approved by the Borough Attorney.

R 250-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT FOR UTILITY BUILDING ROOF REPAIRS TO JOSEPH DOHERTY CO., INC. OF MADISON, NEW JERSEY IN THE AMOUNT OF \$150,000.00

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

**WHEREAS**, the project was publicly bid twice, with no responsive, responsible bidders within the estimated budget for the project; and

**WHEREAS**, after negotiating with the responsible bidders, the Borough Engineer has recommended that the Borough Council award the contract to Joseph Doherty Co., Inc. of Madison, New Jersey in the amount of \$150,000.00; and

**WHEREAS**, the Chief Financial Officer has attested that \$150,000.00 is available in Ordinance 4-2023, 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:

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1. The contract for Utility Building Roof Repairs is hereby awarded to Joseph Doherty Co., Inc. of Madison, New Jersey based upon the negotiated amount of \$150,000.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with Joseph Doherty Co., Inc. of Madison, New Jersey, in a form acceptable to the Borough Attorney.

**R 251-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING DEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF MADISON AND ANGELICA PROPERTIES, LLC, BLOCK: 1302, LOTS: 7 & 8**

**WHEREAS**, Angelica Properties, LLC("Developer") is the owner of certain property in the Borough of Madison designated as Tax Block 1302, Lots 7 & 8 on the current Tax Map of the Borough (the "Property"); and

**WHEREAS**, Developer obtained from the Madison Borough Board of Adjustment approvals for construction of three (3) multi-family dwellings at 64-66 Park Avenue, Block 1302, Lots 7 & 8, which is to be merged with numbers 6 & 10 Elm Street, Lots 4 & 6 and other site improvements on the Property by Resolution adopted on January 12, 2023, which provided for execution of a Developer's Agreement with the Borough.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey, that the attached Developer's Agreement between Angelica Properties, LLC and the Borough of Madison is hereby approved subject to the approval of the Borough Attorney, and the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute the Developer's Agreement.

**R 252-2023 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING PATRICIA PFLUEGER AND ROSEANN TROMONDO TO THE POSITION OF SUBSTITUTE CROSSING GUARD**

**WHEREAS**, the Personnel Director has recommended appointing Patricia Pflueger and Roseann Tromondo to the position of Substitute Crossing Guard; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available for this purpose in the 2022 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 Patricia Pflueger and Roseann Tromondo are each appointed

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to the position of Substitute Crossing Guard for the Borough of Madison for the school year commencing upon the effective date of this resolution and ending June 14, 2024, unless the school year is extended due to winter weather closings

**BE IT FURTHER RESOLVED**, that Patricia Pflueger and Roseann Tromondo be compensated in accordance with the Borough Resolution establishing the salaries for part-time school crossing guards.

R 253-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF A MEAN GREEN ELECTRIC ZERO TURN MOWER FOR THE DEPARTMENT OF PUBLIC WORKS FROM KENVIL POWER EQUIPMENT OF KENVIL, NEW JERSEY

**WHEREAS**, the Borough of Madison desires to purchase a Mean Green Electric Zero Turn Mower for the Department of Public Works from an authorized vendor under the Educational Services Commission of NJ ESC Co-op #65MCECPS – ESCNJ 22/23-12; and

**WHEREAS**, the purchase of goods and services through County agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq; and

**WHEREAS**, Kenvil Power Equipment, 926 US Hwy 46, Kenvil, New Jersey has been awarded Educational Services Commission of NJ ESC Co-op #65MCECPS – ESCNJ 22/23-12; and

**WHEREAS**, the Director of Public Works has recommended that the Borough Council utilize this contract for a Mean Green Electric Zero Turn Mower in the amount of \$52,188.35; and

**WHEREAS**, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$52,188.35 for this purpose in Ordinance 43-2023.

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

1. The purchase of a Mean Green Electric Zero Turn Mower for the Department of Public Works from Kenvil Power Equipment, at a total price not to exceed \$52,188.35 is hereby approved under the Educational Services Commission of NJ ESC Co-op #65MCECPS – ESCNJ 22/23-12.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Kenvil Power Equipment for the purchase of a Mean Green Electric Zero Turn Mower for the



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Department of Public Works at a total price not to exceed \$52,188.35, in a form acceptable to the Borough Attorney.

R 254-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PLACEMENT OF CLOTHING TEXTILE DONATION BIN IN THE VOLUNTEER AMBULANCE CORP PARKING LOT BY MILLENNIUM INTERNATIONAL TEXTILE, INC OF FLANDERS, NEW JERSEY

**WHEREAS**, Millennium International, Inc. of Flanders, New Jersey has applied for a permit to place a clothing donation bin in the parking lot of the Madison Volunteer Ambulance Corp.; and

**WHEREAS**, the property owner consents to the installation and the Zoning Officer and Borough Administrator have recommended approval of this request.

**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 Clerk is authorized to issue a permit to Millennium International, Inc. of Flanders, New Jersey to place a clothing textile donation bin in the parking lot of the Madison Volunteer Ambulance Corp., in accordance with Chapter 82 of the Madison Borough Code.

R 255-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY GRACE EPISCOPAL 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:

**GRACE EPISCOPAL CHURCH**

I.D. No. 274-1-35285

R.A. No. 1558 – On-Premise Merchandise

Date of Raffle – October 21, 2023

R 256-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY HICKORY TREE CHORUS

**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:

**HICKORY TREE CHORUS**

I.D. No. 210-5-40159

R.A. No. 1559 – On-Premise 50/50

Date of Raffle – November 11, 2023

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R 257-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY PTO TOREY J SABATINI

**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:

**PTO TOREY J SABATINI**

I.D. No. 274-5-33160

R.A. No. 1560 – On-Premise 50/50

Date of Raffle – September 29, 2023

R.A. No. 1561 – On-Premise Merchandise

Date of Raffle – September 29, 2023

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

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

Current Fund	\$6,989,676.24
General Capital Fund	21,274.02
Electric Operating Fund	526,001.92
Electric Capital Fund	19,904.80
Water Operating Fund	5,684.11
Water Capital Fund	0.00
Trusts	<u>285,715.00</u>
Total	<u>\$7,848,266.09</u>

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

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

Nays: None

**NEW BUSINESS**

Mayor Conley announces the following appointment and requests Council confirmation:

**ZONING BOARD OF ADJUSTMENT**

Unexpired two-year term through December 31, 2024

Nishan Mahbubani, Stonehedge Lane Alt. member #2

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

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***ADJOURN***

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

Respectfully submitted,

Elizabeth Osborne

Borough Clerk

Approved September 27, 2023 (EO)