

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

September 27, 2021 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 27th day of September, 2021. Mayor Conley called the meeting to order at 7:00 p.m. via Teleconference in the Council Chamber 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 7, 2021. 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:

Astri J. Baillie

Maureen Byrne

John F. Hoover

Debra J. Coen

Rachael Ehrlich

Absent: Robert Landrigan, excused

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Ms. Byrne moved:

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

MINUTES FOR APPROVAL (1)

September 13, 2021

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

LITIGATION MATTERS (2)

AFFORDABLE HOUSING UPDATE

LITIGATION UPDATE

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

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CONTRACT MATTERS (3)
JOINT MUNICIPAL COURT
TELECOMMUNICATIONS CONSULTANT
HDM UPDATE

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

PERSONNEL MATTERS (4)
PD PROMOTIONS
SENIOR CENTER DIRECTOR/ARTS DIRECTOR
DPW LABORERS
FIRE DEPARTMENT

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

Seconded: Ms. Baillie
Vote: Approved by voice vote

RECONVENE VIA TELECONFERENCE

Mayor Conley reconvened the Regular Meeting at 8:19 p.m. via teleconference with all members present. The Pledge of Allegiance was recited by all.

Mayor Conley asked for a moment of silence for deceased resident Andre L. Piggery, who passed away September 19, 2021.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of September 13, 2021**. Ms. Byrne seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Baillie moved approval of the **Regular Meeting Minutes of September 13, 2021**. Ms. Coen seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley presented a proclamation to former Council member Carmela Vitale for Breast Cancer Awareness Month – October 2021

Proclamation
of the
Borough of Madison
Proclaiming
BREAST CANCER AWARENESS MONTH
OCTOBER 2021

WHEREAS, the Borough of Madison values the health of all of its citizens; and

WHEREAS, beginning in 1985, October has been designated as National Breast Cancer Awareness Month; and

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WHEREAS, the lifetime risk for developing breast cancer is 1 in 8 for women and 1 in 833 for men; and

WHEREAS, breast cancer is the second most common cancer diagnosed in women and ranks second as a cause of cancer death in women; and

WHEREAS, with routine mammogram screening and follow-up testing, breast cancer can be detected early, when it can more effectively be treated; and

WHEREAS, there are more than 3.8 million breast cancer survivors in the United States including women still being treated; and

WHEREAS, because of the Covid-19 pandemic, routine mammograms declined by 90% in 2020 making it critical to schedule those appointments now.

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim October as **Breast Cancer Awareness Month** in recognition and support of the patients, families and professionals leading the fight against breast cancer and encourage Madison residents to recognize that routine screening and early detection can save lives.

Robert H. Conley, Mayor
September 27, 2021

Mayor Conley presented a proclamation to Claire Whitcomb, Chair of the Madison Environmental Commission in honor of Energy Efficiency Day – October 6, 2021

*Proclamation
of the
Borough of Madison
Proclaiming
October 6, 2021 as Energy Efficiency Day*

WHEREAS, energy efficiency continues to be the cheapest, quickest and cleanest way to meet our energy needs and reduce utility bills for residential, business, and industrial customers; and

WHEREAS, energy efficiency can also make our homes and workspaces healthier, safer and more comfortable; and

WHEREAS, smarter energy use reduces the amount of electricity we need to power our lives, which helps avoid power plant emissions that can harm our health, pollute our air and warm our climate; and

WHEREAS, cutting energy waste saves U.S. consumers billions of dollars on their utility bills every year, up to \$500 per household from appliance efficiency standards alone; and

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WHEREAS, implementing energy efficiency and other clean energy policies and programs can help boost economic opportunities and job creation while continuing to move toward a sustainable future; and

WHEREAS, the residents of Madison can continue to contribute to our energy efficiency efforts by learning about and participating in our **Home Energy Audit Program with Ceil Power**; and

WHEREAS, a nationwide network of energy efficiency groups and partners has designated the first Wednesday in October as the fifth annual Energy Efficiency Day.

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim October 6, 2021, as “**ENERGY EFFICIENCY DAY.**”

Robert H. Conley, Mayor
September 27, 2021

REPORTS OF COMMITTEES

Public Safety

Ms. Byrne, Chair of the Committee, made the following comments: Madison Police Department staff began mandatory training on Use of Force scenario-based training to be completed by end of 2021. This training incorporates two of the premier training programs in the country: ICAT (Integrating Communications, Assessment, and Tactics) and ABLE (Active Bystander for Law Enforcement). The training will be scenario-based and will use real life situations to reinforce the key principles of the new Use of Force policy, including the need to de-escalate; critical and strategic decision-making; tactics to reduce or eliminate the need to use force; and intervention to prevent other officers from improper behavior. The Madison Fire Department ground ladders were tested and passed annual testing requirements by an outside agency. Volunteer Firefighters are desperately needed. If you reside in Madison or within two miles of our borders, are in good physical and mental health and want to get involved in our community please consider joining as a Volunteer with the fire department. For more information about the requirements and on how to join please go to www.MadisonFD.com. The Fire Department is sponsoring an Antique Fire Truck Show during the Bottle Hill Day event. It will be in the Train Station parking lot from 10:00 a.m. to 3:00 p.m. All are welcome to stop by and see fire truck history.

Finance and Borough Clerk

Ms. Baillie, Chair of the Committee, made the following comments: Ms. Baillie reminded residents that the Senior Freeze Applications are due by November 1st. The CFO and Borough Administrator are working with Department heads on the 2022 municipal budget including the 5 year capital plan.

Public Works and Engineering

Mr. Hoover, Chair of the Committee, made the following comments: DPW staff provided assistance to Millburn after Hurricane IDA, helping clear flood debris in their commercial district. To assist the work of the Madison Volunteer

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Ambulance Corps (MVAC), DPW mechanics have now taken on the added responsibility of maintaining and repairing the MVAC ambulances at no cost. The quarterly jetting of sewer lines in low lying areas and the commercial district has started. This process helps is keep the sanitary system in good condition and avoids blockages and backups into private property. DPW has inspected and serviced all leaf equipment in anticipation of the start of leaf pickup throughout town. Residents are encouraged to put their leaves in disposable bags for pickup at the curb by our yard waste contractor. Free leaf bags will be available for residents at the DPW garage on John Avenue and in the Borough Clerk's Office at Borough Hall. Work on the restoration of the Hartley Dodge Memorial Plaza stopped September 10th after the lower stair concrete was replaced. Certain construction changes have been processed to date which require approval since there is a request for both additional cost and time extension to the contract. The next phase of construction will involve resetting granite stair treads on the upper stair foundations in a sand and mortar base. Then the upper plaza granite pavers will be reset. Please note all general public access to the Municipal Building continues via the west wing courtroom ramp for the duration of the project. The Madison Environmental Commission's town wide garage sale held last Saturday was a success in raising funds for the Great Swamp. For the Health Department, Mr. Hoover reported thirty five cases of COVID-19 since September 1st, with eleven of those cases reported by vaccinated individuals. Vaccines are still important, continue to wear masks indoors and the CDC is recommending a booster for those over the age of 65 or with compromised immune systems. Anyone who works at a job with increase risk of exposure is also encouraged to get a booster. The Health Department will announce Flu Vaccine Clinic dates soon. Check rosenet.org for more details.

Community Affairs

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

Ms. Coen noted that this Saturday is Bottle Hill Day, which will once again include the antique car show at the Prospect Avenue commuter parking area.

Utilities

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

On Sept. 14th, the Electric Department was called to Woodland Road for a fire on the Primary Lines, caused by lightning. The crews shut down the circuit to make the necessary repairs. Full power was restored in thirty minutes. The Electric Department installed a new pole, transformer, and LED streetlight on the corner of Morris Place and Woodside Road and continues to install LED streetlights. The utility is also working closely with the light post manufacturer on a solution to convert the downtown Victorian-style post lights to LED lamping, while maintaining the same "warm" glow. You'll note we are introducing an ordinance tonight to appropriate funds for retrofitting the Victorian style street lights for LEDs to reduce maintenance and energy costs. The Electric Department performed manhole maintenance and installed new sump pumps; and Burlington Safety, a specialty subcontractor, performed required safety testing on our five bucket trucks. The Water Department continues to replace outdated water meters with new meters with automatic readers. If anyone is interested in having their water meter updated, please call the Madison Water Department at (973) 966-7330 to schedule an appointment.

Health

Mr. Landrigan, Chair of the Committee, absent.

COMMUNICATIONS AND PETITIONS- None

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INVITATION FOR DISCUSSION (1 of 2)

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Mayor asked that, upon recognition by the 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.**

Thomas Haralampoudis; Pomeroy Road, asked for clarification of proposed Resolution 258-2021, authorizing execution of change orders for Merrill & Garaguso, Inc., to address issues with the HDM Plaza restoration project.

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

AGENDA DISCUSSIONS

09/27/2021-1 COMMERCIAL DISTRICT BUSINESS UPDATE

Director of Business Development Lisa Ellis provided a presentation on the impact of the COVID-19 pandemic on the Madison business community. Ms. Ellis explained answers to a survey provided to many Madison Businesses including retail, health care, and entertainment, predominately with 1-19 employees. Responses included adjustment of business hours, interruption of supply chain and several experiencing decreases in sales. Eighty-five percent do not anticipate their businesses closing. Most managed to adapt quickly and overall, most are thankful they've survive and are hopefully close to the end of the pandemic impact.

ADVERTISED HEARINGS

The Clerk made the following statement:

The Ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on September 13, 2021, was introduced by title and passed on first reading, was published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinance 39-2021 for second reading and asked the Clerk to read said ordinances by title:

ORDINANCE 39-2021

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PROFESSIONAL SERVICES RELATED TO THE INSTALLATION OF A NEW RADIO SYSTEM FOR POLICE, FIRE, AMBULANCE, DPW AND ELECTRIC UTILITY

WHEREAS, the CFO/Assistant Borough Administrator has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund for professional services related to the installation of a new radio system for Police, Fire, Ambulance, DPW and Electric Utility; 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 \$30,000.00 for this purpose; and

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WHEREAS, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund for professional services related to the installation of a new radio system for Police, Fire, Ambulance, DPW and Electric Utility.

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 \$30,000.00 is hereby appropriated from the General Capital Improvement Fund for professional services related to the installation of a new radio system for Police, Fire, Ambulance, DPW and Electric Utility.

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

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

Mayor Conley opened up the public hearing on Ordinance 39-2021. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 39-2021, which was read by title, be finally adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Landrigan

Mayor Conley declared Ordinance 39-2021 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 DISCUSSION (2 of 2)

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

Claire Whitcomb; Fairwood Road, reported on the success of the Madison Environmental Commission's Eco Garden Tour held on Saturday, September 25, 2021 to showcase sustainability and green practices.

Hillary Tabish; Green Avenue, noted the increased value to homeowners in Madison if the Drew Forest can be saved.

Lauren Monopoly; Illinois, graduate of Drew University, noted her career in environmental conservation and encouraged the Council to help save the Drew Forest.

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Tom Haralampoudis; Pomeroy Road, thanked Mrs. Ellis for her presentation asked about the status of improvements to Waverly Place. Mr. Haralampoudis also suggested that the Hartley Dodge Memorial Trustees be encouraged to contribute to the restoration of the building. Mr. Haralampoudis proposed the Mayor and Council receive a stipend for their efforts.

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 Wednesday, October 13, 2021 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 40-2021 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$125,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT
FUND FOR WATER & LIGHT PLANT BUILDING REPAIRS AND IMPROVEMENTS

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$125,000.00 from the Electric Capital Improvement Fund for Water & Light Plant Building repairs and improvements; 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 \$125,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$125,000.00 from the Electric Capital Improvement Fund for building repairs and 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 amount of \$125,000.00 is hereby appropriated from the Electric Capital Improvement Fund for repairs and improvements to the Water & Light Plant Building.

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.

Ms. Ehrlich moved that Ordinance 40-2021, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Landrigan

ORDINANCE 41-2021 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$50,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT
FUND FOR RETRO FIT KITS FOR LED BULBS FOR THE VICTORIAN LAMP
POSTS

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$50,000.00 from the Electric Capital Improvement Fund for Retro fit kits for LED bulbs for the Victorian Lamp Posts; 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 \$50,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$50,000.00 from the Electric Capital Improvement Fund for retro kits for LED bulbs for the Victorian Lamp Posts through town.

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 \$50,000.00 is hereby appropriated from the Electric Capital Improvement Fund for retro fit kits for LED bulbs for the Victorian Lamp Posts throughout town.

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.

Ms. Ehrlich moved that Ordinance 41-2021, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Landrigan

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.

Ms. Byrne moved adoption of the Resolutions 247-2021 through 261-2021 listed on the Consent Agenda. Ms. Baillie seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Landrigan

R 247-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AGREEMENT FOR TELECOMMUNICATION CONSULTANT SERVICES FOR A BOROUGH WIDE RADIO SYSTEM WITH VCOMM TELECOMMUNICATIONS ENGINEERING

WHEREAS, the Borough Administrator has recommended execution of a professional services contract with VComm Telecommunications Engineering, to provide telecommunications consulting services for a Borough wide radio system; and

WHEREAS, such services 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(1)(a); and

WHEREAS, VComm Telecommunications Engineering, has submitted to the Borough Qualified 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 39-2021, 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 Mayor and Borough Clerk are authorized to execute on behalf of the Borough a professional services contract with VComm Telecommunications Engineering, to provide telecommunications consulting services for a Borough wide radio system.

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 248-2021 RESOLUTION OF THE BOROUGH OF MADISON APPROVING AN ADDITIONAL ONE YEAR TEMPORARY MORATORIUM ON ANNUAL FEE INCREASES FOR CERTAIN PARKING PERMITS AND AUTHORIZING A SPECIAL NON-RESIDENT COMMUTER PARKING PERMIT FOR 2022

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WHEREAS, Resolution 296-2020 authorized a moratorium on residential, commuter and tenant parking permit fee increases due to the financial hardship caused by the COVID-19 pandemic; and

WHEREAS, the Borough Council wishes to extend the temporary moratorium by waiving the annual fee increase for Commuter Resident and Residential Tenant Parking permit fees for 2022; and

WHEREAS, the Director of Business Development has also recommended that a Special Non-Resident Commuter Parking Permit for 2022 be established for use of the Kings Road lot (Lot #3) at an annual fee of \$800.00, to be issued after current resident permit holders have renewed 2022 permits.

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 one-year temporary moratorium on the annual fee increase for residential, tenant and commuter parking permit fees, is approved and a Special Non-Resident Commuter Parking Permit is authorized in the Kings Road lot only at a fee of \$800.00 for 2022 is hereby created.

R 249-2021 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 OCTOBER 23, 2021

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number one on Saturday, October 23, 2021 between the hours of 8:30 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

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 October 23, 2021, between the hours of 8:30 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.

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R 250-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF DODGE FIELD ON OCTOBER 15, 2021 BY THE TOREY J SABATINI SCHOOL PTO

WHEREAS, the PTO at Torey J. Sabatini School has requested permission to use a portion of Dodge Field, on Friday, October 15, 2021, between the hours of 6:00 p.m. and 10:00 p.m., for a fund raising event; and

WHEREAS, the funds raised will be dedicated to supporting their charitable and community initiatives; and

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

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Torey J. Sabatini School PTO is hereby given permission to use a portion of Dodge Field, on Friday, October 15, 2021, between the hours of 6:00 p.m. and 10:00 p.m., for a fund raising event, subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department and adequate insurance coverage indemnifying the Borough from liability.

R 251-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF SERGEANT CRAIG PERRELLI AS ACTING LIEUTENANT IN THE MADISON POLICE DEPARTMENT EFFECTIVE SEPTEMBER 28, 2021

WHEREAS, the Borough Council, after due consideration, has determined to appoint Sergeant Craig Perrelli to the position of Acting Lieutenant in the Madison Police Department effective September 28, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Craig Perrelli is hereby appointed to the position of Acting Lieutenant in the Madison Police Department, effective September 28, 2021, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement.

R 252-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF SERGEANT SEAN PLUMSTEAD AS ACTING LIEUTENANT IN THE MADISON POLICE DEPARTMENT EFFECTIVE SEPTEMBER 28, 2021

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WHEREAS, the Borough Council, after due consideration, has determined to appoint Sergeant Sean Plumstead to the position of Acting Lieutenant in the Madison Police Department effective September 28, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Sean Plumstead is hereby appointed to the position of Acting Lieutenant in the Madison Police Department, effective September 28, 2021, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement.

R 253-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF DETECTIVE JULIAN MORALES TO SERGEANT IN THE MADISON POLICE DEPARTMENT EFFECTIVE SEPTEMBER 28, 2021

WHEREAS, the Borough Council, after due consideration, has determined to appoint Detective Julian Morales to the position of Sergeant in the Madison Police Department effective September 28, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Julian Morales is hereby appointed to the position of Sergeant in the Madison Police Department, effective September 28, 2021, to be compensated in accordance with the Superior Officers Collective Bargaining Agreement.

R 254-2021 RESOLUTION OF THE BOROUGH OF MADISON RENEWING APPLICATION FOR LIVERY DRIVER'S PERMIT FOR TRAVELERS TAXI & LIMOUSINE, LLC FOR 2021

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following livery driver's permit be approved for the year 2021:

LICENSE NO.
2021-1D

DRIVER
John J. Patrisco, Jr.
Travelers Taxi & Limousine, LLC

R 255-2021 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING MEMBERSHIP OF KONSTANTINOS PAPPAS IN THE MADISON HOSE COMPANY #1

WHEREAS, the Fire Chief has advised that Konstantinos Pappas was voted into the Madison Hose Company #1 as a volunteer firefighter; and

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WHEREAS, Section 18-27 of the Madison Borough Code requires that each person so voted shall be confirmed as a member of such division by the Council of the Borough of Madison.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Konstantinos Pappas is hereby confirmed as a member of the Madison Hose Company #1 effective immediately.

R 256-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF EDWAR RAMIREZ-GALVIS TO THE POSITION OF LABORER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Personnel Director recommends that an offer of employment be made to Christopher DeRosa for the position of Laborer in the Public Works Department; and

WHEREAS, the Borough Council agrees with this recommendation.

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

1. The Personnel Director shall make an offer of employment to Christopher DeRosa for the position of Laborer in the Public Works Department.
2. The Personnel Director is authorized to hire Christopher DeRosa for the position of Laborer in the Public Works Roads Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary of \$36,081.00 in accordance with the appropriate collective bargaining unit contract.

R 257-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF CHRISTOPHER DEROSA TO THE POSITION OF LABORER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Personnel Director recommends that an offer of employment be made to Edwar Ramirez-Galvis for the position of Laborer in the Public Works Department; and

WHEREAS, the Borough Council agrees with this recommendation.

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

1. The Personnel Director shall make an offer of employment to Edwar Ramirez-Galvis for the position of Laborer in the Public Works Department.

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2. The Personnel Director is authorized to hire Edwar Ramirez-Galvis for the position of Laborer in the Public Works Roads Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary of \$36,081.00 in accordance with the appropriate collective bargaining unit contract.

R 258-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CHANGE ORDER REQUEST IN THE AMOUNT OF \$139,224.26 FOR THE HARTLEY DODGE MEMORIAL PLAZA RESTORATION PROJECT BY MERRILL & GARAGUSO, INC.

WHEREAS, a contract was awarded to Merrill & Garaguso, Inc., for the Hartley Dodge Memorial Plaza Restoration by Resolution 73-2021; and

WHEREAS, the Borough Engineer has recommended approval of a Change Order to the contract in an additional amount not to exceed \$139,224.26, which addresses several issues, as set forth on the detailed list dated September 28, 2021, annexed hereto, which were negotiated by the Borough Engineer; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$139,224.26 for the change orders, which funds are available in C04-57-194-602 Capital account.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute the Change Orders to the Contract with Merrill & Garaguso, Inc., to address the issues described above, in an additional amount not to exceed \$139,224.26, said Change Orders to be in a form approved by the Borough Attorney.

R 259-2021 RESOLUTION OF THE BOROUGH OF MADISON APPROVING SALARY INCREASE FOR THOMAS DEBIASSE, III

WHEREAS, Thomas DeBiasse, III is employed as a part-time Laborer in the Public Works Department of the Borough of Madison; and

WHEREAS, the Director of Public Works and Borough Administrator have recommended a merit increase to Thomas DeBiasse, III in recognition of his continued commitment to excellent work; and

WHEREAS, the Borough Administrator has recommended increasing the hourly rate of Thomas DeBiasse, III from \$14.57/hour to \$20.00/hour.

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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 the salary of Thomas DeBiasse, III shall be increased to \$20.00/hour.

R 260-2021 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY PTO TOREY J. SABATINI SCHOOL

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

PTO Torey J. Sabatini School

I.D. No. 274-5-33160

R.A. No. 1521 - On-Premise 50/50

Date of Raffle - October 15, 2021

R 261-2021 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 2021

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 from the County of Morris as a supplemental Municipal Alliance grant, and

WHEREAS, a condition of receiving this grant is that the Borough of Madison must provide a math of \$1,652.50.

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 2021 under the caption of:

Miscellaneous Revenues Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services, State and Federal

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Revenues Off-Set with

Appropriations.....\$6,610.00,

and

BE IT FURTHER RESOLVED that the sum of.....

\$8,262.50

is hereby appropriated under the caption of:

General Appropriations, (a) Operation Excluded from 3.5% Caps, State and Federal programs Off-set by Revenues: MAASA Supplemental Grant

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

Mr. Hoover moved adoption of Resolution 261-2021 listed on the Consent Agenda. Ms. Byrne seconded the motion. Mr. Codey read the resolution in full for the record. Mayor Conley noted that the resolution authorizes a beer tasting only, not a beer garden. Ms. Coen raised concerns regarding enforcement. Ms. Byrne noted the applicant is a vendor at the weekly Farmer’s Market. There was no further Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Byrne, Mr. Hoover, Ms. Ehrlich

Nays: Ms. Baillie, Ms. Coen

Absent: Mr. Landrigan

R 262-2021 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A TASTING AND BEER SALES FOR OFF SITE CONSUMPTION BY UNITED BREWING COMPANY AT BOTTLE HILL DAY, OCTOBER 2, 2021

WHEREAS, the Limited Brewery License holder, Untied Brewing Company, LLC of New Providence, N.J., has requested permission to hold a beer tasting and beer sales for off-site consumption at Dodge Field on Bottle Hill Day, Saturday October 2, 2021; and

WHEREAS, the Borough Council has agreed that a beer tasting and beer sales for off-site consumption may be held at Dodge Field with the following conditions:

- 1) Untied Brewing Company, LLC must adhere to State of N.J. ABC regulations, secure all required state permits and provide a copy of same to the Borough prior to the event.
- 2) The event must be advertised and promoted as a beer tasting and not a beer garden.
- 3) Service cups and containers shall not exceed five (5) ounces.
- 4) Customers are limited to one taste per variety of beverage.

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- 5) A maximum of twenty (20) patrons (or such other appropriate number of patrons to allow for social distancing in the assigned space) shall be allowed within the fenced in area at a given time.
- 6) Packaged products such as growlers (if permitted by ABC regulations) and cans may be sold for home consumption. Customers should be reminded that open containers are not permitted at the tasting or any public space.
- 7) Service hours are limited to Bottle Hill Day hours, 10:00 a.m. to 5:00 p.m.
- 8) No seating, tables for patrons or recreational activities are allowed.
- 9) The vendor shall provide proof of host liability insurance coverage in the minimum amount of one million dollars naming the Borough of Madison as additional insured.
- 10) In the event of a material violation of the above rules, the Borough reserves the right to immediately revoke approval and close the display booth.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Untied Brewing Company shall be permitted to operate a beer tasting and beer sales for off-site consumption at Dodge Field on Saturday, October 2, 2021, subject to such restrictions and conditions herein which shall be listed as Special Conditions in the State ABC permit and any supplemental requirements of the Madison Chief of Police or his designee.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Ms. Baillie, seconded by Ms. Byrne 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	\$4,155,921.07
General Capital Fund	213,219.71
Electric Operating Fund	702,116.89
Electric Capital Fund	3,646.66
Water Operating Fund	62,071.49
Water Capital Fund	0.00
Trusts	<u>14,171.00</u>
Total	<u>\$5,151,146.82</u>

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

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

Nays: None

Absent: Mr. Landrigan

NEW BUSINESS

Mayor Conley announced the following appointment and requested Council confirmation:

RECREATION ADVISORY COMMITTEE

Amy Gaven, Greenwood Avenue, as Girls Lacrosse representative, one-year unexpired term through December 31, 2021.

Ms. Baillie moved confirmation of the foregoing appointment. Ms. Byrne seconded the motion, which passed with a unanimous voice call vote recorded.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Elizabeth Osborne

Borough Clerk

Approved October 13, 2021 (EO)