

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

**September 27, 2023 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 27<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

Council Members:

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

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)

September 11, 2023

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

PERSONNEL MATTERS (1)

CONFIDENTIAL SECRETARY

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

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### **LITIGATION MATTERS (1)**

DREW UNIVERSITY

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

### **CONTRACT MATTERS (2)**

MVAC

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. Range moved approval of the **Executive Minutes of September 11, 2023**. Mr. Hoover seconded the motion, which passed with a unanimous voice call vote recorded.

Mr. Hoover moved approval of the **Regular Meeting Minutes of September 11, 2023**. Mr. Range seconded the motion, which passed with a unanimous voice call vote recorded.

### **GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

Mayor Conley noted a recent meeting with newly appointed Drew University President Hilary L. Link, PhD. Mayor Conley also noted the League of Women Voters candidate forum held Tuesday, September 26, 2023. Listed on tonight's agenda is a resolution of support for the Madison Volunteer Ambulance Corp., regarding a new ambulance. Mayor Conley accepted a gift of a multiyear grant in the amount of \$4,000,000.00 from the Hartley Dodge memorial Trustees for renovation of the East Wing of the Hartley Dodge Memorial, presented by Trustee President Nicolas Platt.

### **REPORTS OF COMMITTEES**

#### **Community Affairs**

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

Bottle Hill Day is on Saturday, October 7, 2023. Final preparation for the festival is underway. A last call for sponsors and vendors was sent out. If you want to participate but still need to submit your paperwork, please contact Lisa Ellis at 973-245-3493 or ddc@rosenet.org. 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 will feature live music weekly. The Madison Car Show is scheduled for Saturday, October 7. There will be no rain date. Scarecrows decorated by the businesses will be displayed on Waverly Place from October 18th to November 1st. Halloween Parade & Magic Show is scheduled for Saturday, October 28th, from 12:30-3:00 pm. The Taste of Madison has been scheduled for Monday, March 4, 2024 at the Madison Hotel. The Summit Film Society resumes its film series at Madison Community Arts Center with Radical Wolfe on Friday, October 6th, at 7:30 pm. A new Literary Organization has joined the Weekly Wednesday Open Mic Lineup. Yes &: New Jersey Creates will offer

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writing seminars and an open mic every fourth Wednesday of the month. The organization is led by Ysabel (Isabel) Gonzales, the Poetry Creative Officer at the Geraldine R. Dodge Foundation. The next NJ Jazz Society Concert will be presented on Sunday, October 8th, at 3:00 pm, featuring the Bill Mays Trio. The Baroque Orchestra of New Jersey will perform a classical, contemporary concert on Sunday, October 15th, at 4:00 pm.

### **Public Works and Engineering**

Ms. Ehrlich, Chair of the Committee, made the following comments: Tonight's agenda includes a presentation from the Engineering Department, so we will have an update from our Borough Engineer Bob Vogel himself in a few minutes. The Department of Public Works notes that their preparations for Bottle Hill Day are all planned and they are set for the big day. We thank our public works crews in advance for the special effort they put in to making Bottle Hill Day such a success. DPW installed 9 tons of asphalt patching throughout the borough in the last two weeks, and they repaired a sewer pump on Prospects St. that failed. They remind residents to not flush dental floss or anything else that should be disposed of in the garbage. The mechanics department has prepped everything for leaf season and has started double checking all the snow equipment. The Shade Tree has an update on the ongoing tree replacement project on Main St. The pear trees on Main Street have been identified as a major source of spreading invasive tree seeds and are dying from a disease called 'fire blight'. Starting in 2020, the Shade Tree Management Board and the Department of Public Works initiated a multi-year tree replacement program of the pear trees on Main St. between Division Avenue and Prospect Street. Note that Main Street is a State road, but they do not plant street trees. The program will continue this October with the removal of pear trees and planting of 32 new trees bringing the total of new trees to 118. The replacements trees will be a mix of elm, London plane, honey locust, maple and sweet gum. Congratulations to our Sustainable Madison committee, whose work towards sustainable actions in Madison has earned the Borough a Silver Level certification from Sustainable Jersey, the statewide accrediting organization. Thank you to Sustainable Madison chair Kathi Caccavale and the six committee members who earned a record number of 915 points this year -- Madison's highest ever award-- for leading sustainability actions in Madison ranging from energy to food, natural resources, waste initiatives, health, water, buildings, transportation, and community education and outreach. The Green Team works closely with Borough staff, officials and committees, and with other organizations in town to encourage, support, initiate and report on sustainable actions and practices. Congrats and thank you to Sustainable Madison for your great work. The Madison Environmental Commission reminds us that this weekend is the Town-wide yard sale. On Saturday September 30<sup>th</sup>, Madison and the Chathams will go green by inviting residents to host yard sales on the same day. List your sale with a \$10 tax-deductible donation to the Great Swamp Watershed Association. The deadline to get on the digital map is tomorrow, September 28, 2023. Go to [greatswamp.org/events](https://greatswamp.org/events) to register your sale. Visit the same page on September 29 for a digital map of all yard sale participants and a list of sale items.

### **Utilities**

Mr. Landrigan, Chair of the Committee, made the following comments: On Thursday, September 14th, the entire Borough lost power. JCP&L dropped the two (2) feeder lines that supply electricity to our substations. The crews immediately went to the substations and waited for JCP&L to re-establish power. Once the power was back on, the crews performed a series of switching procedures to bring the substations back online. On Sunday, September 17, 2023, the Stand-by Crew

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was called out for no power on the Park Avenue circuit. The outage was caused by a squirrel. The same day, the crew was called to a downed line in the road, broken by a passing truck. The Department is close to completing the downtown Victorian Lamp Post upgrade to LED lights, and is in the process of scheduling the underground fiber line pull in from the James Park Substation to the Kings Road Substation. There have been multiple site meetings at 286 Main Street (Madison Mall Apartments), 120 Madison Avenue (Madison Mosque), and 98 Main Street (Provident Bank) and the department 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 fire hydrant on Woodland Road at the intersection of Woodland Road and Dellwood Road. The existing hydrant had been rendered inoperable due to a motor vehicle accident. The Water Department personnel completed CPR Training for AED – adult and child. Three (3) emergency water interconnections with New Jersey American Water were inspected and tested for service. The Madison Water Department's annual fire hydrant and water main flushing program has begun 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 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 at (973) 966-7330.

### **Public Safety**

Mr. Range, Chair of the Committee, made the following comments: Madison Police Department command staff personnel are currently meeting with County and State representatives to explore implementing a response program to utilize social workers/mental health screeners in addition to police officers to handle calls for patients in crisis in Madison. It has been a priority of Chief Miscia to equip his officers with tools to most effectively get the best care and service for patients in crisis. Chief Miscia wishes to thank the Borough Council and Administration for their support of this initiative. Anti-Idling educational pamphlets have been developed and MPD staff have been working with Sustainable Madison to meet with drivers to better educate them on idling at schools and business in town. Madison Police staff met today with Madison Public School Administrators for a monthly security meeting. Discussions included safety protocols and improvements at all schools and best practices to keep schools safe and secure. The Fire Department responded to twenty-one general alarms. Thirty-one still alarms. Thirty-one investigations and fifty-five medicals for a total of 138 calls in September. The fire department is 7 calls away from the busiest month in history with 3 days to go. Fire Prevention month is October. With the colder months ahead and we start to heat our homes. It's important to remember fire safety. Make sure your heating devices are working properly and your chimney is clean. Now is the time to start replacing batteries and old detectors that are beyond their useful life. New Smoke and carbon monoxide detectors come with a 10-year battery.

### **Health**

Mr. Haralampoudis, Chair of the Committee, made the following comments: Mr. Haralampoudis noted that monthly blood pressure screening is available the October 4<sup>th</sup> 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

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Borough of Madison. Information will soon be available regarding the annual Rabies Clinic, as well. The Health Department will complete all food vendor inspections for Bottle Hill Day and the department is working with the Police Department on the Anti-Idling program. Reward stickers for coffee and bagels will be handed out to families not idling at school drop off/pick up zones, as well as at all sports field and in the commercial business district.

### **Finance and Borough Clerk**

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

From the Tax Collector, a reminder to our residents that the Senior Freeze (PTR) application deadline is November 1st. Any seniors who have not done so should bring their forms into the tax office by October 31st. Please contact the Tax Collector's office if you have any questions. From the Finance Department, on Friday September 15<sup>th</sup>, the Borough wired \$3,941,111.67 to the Board of Education. This is the monthly amount that is required to cover their operations and debt. The Board of Education contacted the Finance Department regarding a bond referendum. Every January the Borough issues an annual debt statement, which summarizes the debt of the Borough and Board of Education and compares it to the total equalized assessed ratable base in the Borough. When either the Borough or Board of Education authorize the issuance of debt, a Supplemental Debt Statement must be prepared. That document has been posted on Rosenet. This week the Borough Administration has been meeting with the various department heads to review operating budgets. This is an important first step in building the budget. Department Heads have been asked to keep budgets flat for 2024. In addition to the operating budget, Administration is working with the Borough Engineer and Department Heads on the five year capital plan. Administration has sent over a draft 5 year capital plan to each Department Head. These documents will be discussed in the coming weeks and we hope to have a five year capital plan presentation before the end of the year.

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Email dated September 14, 2023 from Daniel LaMagna, Niles Avenue regarding Borough Trees.

Email dated September 21, 2023 from Trudel Artiglere, Main Street raising concern regarding the use of 'Rose City' by the Borough.

Email dated September 25, 2023 from Claire Whitcomb, Fairwood Road and Friends of the Drew Forest listing essential facts about the forest.

### **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.

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**AGENDA DISCUSSIONS**

**09/27/2023-1 MUNICIPAL ENGINEERING PROJECTS UPDATE**

Borough Engineer Robert Vogel presented an update on projects accomplished this year, including road resurfacing as part of the Borough's capital projects along Woodland Road from Union Hill Road to Garfield Avenue, Garfield Avenue, Myrtle Avenue and Trail Place. Pedestrian Crosswalks have been installed on Green Avenue from Hillside Avenue to Wilmer Street. A new multipurpose Court at the Madison Recreation Complex is near completion, these courts can be used for basketball, tennis, and pickleball. The trail and footbridge project at Memorial Park continues, and construction will start late winter or early spring on the Dodge Field Playground renovation. Reconstruction of the Cook Avenue parking lot will occur in 2024. Discussion on renovations to Waverly Place continue with an anticipated project to occur in 2025. The Engineering Department continues to work on sewer lining, Well B renovations, renovations to the Hartley Dodge Memorial East Wing and Library renovations as well.

**ADVERTISED HEARINGS**

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on September 11, 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 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.

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Mayor Conley opened up the public hearing on Ordinance 45-2023. Since no member of the public wished to be heard, the public hearing was closed.

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

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

Mayor Conley declared Ordinance 45-2023 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 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.

Mayor Conley opened up the public hearing on Ordinance 46-2023. Since no member of the public wished to be heard, the public hearing was closed. Mr. Landrigan moved that Ordinance 46-2023, 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:

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

Mayor Conley declared Ordinance 46-2023 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 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 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(I), entitled “Procedure for Hiring New Police Officers” is hereby amended as follows:

§ 34-2(I). 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.

Mayor Conley opened up the public hearing on Ordinance 47-2023. Since no member of the public wished to be heard, the public hearing was closed.



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

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

Mayor Conley declared Ordinance 47-2023 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 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.

**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.

Mayor Conley opened up the public hearing on Ordinance 48-2023. Since no member of the public wished to be heard, the public hearing was closed.

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

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

Mayor Conley declared Ordinance 48-2023 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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

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

**Clair Whitcomb; Fairwood Road**, inquired about tree replacement at the new MRC pickleball courts, and a stormwater management plan for Waverly Place. Ms. Whitcomb noted the town-wide garage sale, Saturday, September 26, 2023 and welcomed Drew University President Dr. Link.

**Christine Hepburn; Harding, NJ**, addressed a recent mailing from Drew University regarding sale of the Drew forest property, urging Council to save the forest.

**Hilary Link; Woodcliff Drive**, President of Drew University, express commitment to rebuild a relationship with the Borough, and looks forward to working with the Mayor and Administration. Dr. Link noted she would love to save the forest and rebuild the University for the future.

**Kathleen Caccavale; Central Avenue**, urged the Borough to not remove the rain gardens from the reconstruction plans for Cook Avenue parking lot.

***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 October 23, 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 49-2023      ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 94 APPENDIX C OF THE BOROUGH CODE ENTITLED  
“ELECTRIC DEPARTMENT RULES AND REGULATIONS” REGARDING  
ADDITIONS AND ALTERATIONS

**WHEREAS**, the Assistant Borough Administrator/CFO has recommended amendments to the Borough Code regarding additions and alterations to the

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Borough's equipment by customers of the Borough of Madison electrical system;  
and

**WHEREAS**, any installation without the Borough's knowledge could be dangerous to both individuals and Borough owned equipment.

**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:** Chapter 94 of the Code of the Borough of Madison, Appendix C, Section 7 thereof entitled "RULES AND REGULATIONS" is hereby amended as follows

.....

§ Appendix C, Section 7.

Any person, firm or corporation who shall install, **violate this code or** extend or make any alteration in any electric wiring, appliance (other than a portable type of appliance), electrical fixture or equipment, or any appurtenance thereto **including installation of self generation equipment**, without having first obtained the necessary permit from the Borough of Madison, as required in and by the provisions of Section 2 of this ordinance, shall, upon conviction thereof, be liable to a fine of not more than **\$5,000.00 per incident with an additional \$1,000.00 per day fine if the issue is not corrected within 10 days of notice** ~~or imprisonment for not more than 10 days in the County Jail; such fine or imprisonment to be in the discretion of the magistrate before whom the proceedings for the alleged violation hereof shall be brought.....~~

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

Mr. Landrigan moved that Ordinance 49-2023, 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 50-2023    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$325,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT  
FUND FOR THE PURCHASE OF A NEW FREIGHTLINER SINGLE BUCKET  
TRUCK AND ACCESSORIES

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$325,000.00 from the Electric Capital Improvement Fund for the purchase of a new Bucket Truck and accessories ; and

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**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 \$325,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$325,000.00 from the Electric Capital Improvement Fund for the purchase of a new Freightliner Single Bucket Truck 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 \$325,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of a new Bucket Truck 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 50-2023, 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 51-2023    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$150,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR FUNDING OF A 2022 FORD E-450, HORTON 553, TYPE III  
AMBULANCE

**WHEREAS**, the Chief Financial Officer/Assistant Borough Administrator has recommended that the Borough appropriate \$150,000.00 from the General Capital Improvement Fund for the funding of a 2022 Ford E-450, Horton 553, Type III Ambulance; 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 \$150,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$150,000.00 from the General Capital Improvement Fund for the funding of a 2022 Ford E-450, Horton 553, Type III Ambulance.

**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:

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SECTION 1: The amount of \$150,000.00 is hereby appropriated from the General Capital Improvement Fund for the funding of a 2022 Ford E-450, Horton 553, Type III Ambulance.

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. Range moved that Ordinance 51-2023, 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 258-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING SALARY INCREASE FOR SARA MURPHY

**WHEREAS**, Sara Murphy is employed as a Confidential Secretary in the Finance Department; and

**WHEREAS**, the CFO/Assistant Borough Administrator has recommended a merit increase to Sara Murphy, to reflect that she has attained Tax Collector certification; and

**WHEREAS**, the CFO/Assistant Borough Administrator has recommended increasing the salary of Sara Murphy to \$64,525.00, annually, retroactive to June 14, 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:

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1. The salary of Sara Murphy shall be increased to \$64,525.00 annually, retroactive to June 14, 2023.

2. The governing body expresses its gratitude to Ms. Murphy for her diligent efforts on behalf of the Borough of Madison.

**R 259-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF A COMPETITIVE CONTRACTING PROCESS FOR EMERGENCY MEDICAL BILLING SERVICES**

**WHEREAS**, the Borough of Madison wishes to solicit proposals to award a contract for Emergency Medical Billing Services (EMT); and

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

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

**WHEREAS**, the Borough Council of the Borough of Madison has determined that the procurement of services for Emergency Medical Billing Services (EMS) through the Competitive Contracting process is in the best interest of the Borough of Madison; and,

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that the Borough's Qualified Purchasing Agent is authorized to initiate the competitive contracting process for the solicitation of proposals for services for the Emergency Medical Billing Services (EMS) in conformance with N.J.S.A. 40A:11-4.1(n).

**R 260-2023 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING MEMBERSHIP OF MS. FLORMARIA DELAROSA IN THE MADISON HOSE COMPANY #1**

**WHEREAS**, the Fire Chief has advised that Ms. FlorMaria DeLaRosa 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 Ms. FlorMaria DeLaRosa is hereby confirmed as a member of the Madison Hose Company #1 effective immediately.

R 261-2023 Item removed and the # retired.

R 262-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT FOR THE PURCHASE OF TWO (2) EVESCO EV FAST CHARGERS TO EVESCO, LLC. OF RENO, NEVADA IN THE AMOUNT OF \$205,952.00

**WHEREAS**, the Borough of Madison has a need to purchase two fast electric vehicle chargers; and

**WHEREAS**, the Borough received a NJDEP “It Pays to Plug In” grant for this purpose; and

**WHEREAS**, the bid of the apparent low bidder, Summit Solar Co., LLC, is being rejected as being non-responsive based on the opinion of the Borough Attorney for failing to include a credit card reader in their submission, which was an essential part of the technical specifications; and

**WHEREAS**, the Borough’s Qualified Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Evesco, LLC of Reno, Nevada in the amount of \$205,952.00; and

**WHEREAS**, the Chief Financial Officer has attested that \$205,952.00 is available in the NJ Department of Environmental Protection’s “It Pays to Plug In” grant and any other account deemed appropriate by the Chief Financial Officer, or his designee.

**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 two (2) Evesco EV Fast Chargers is hereby awarded to Evesco, LLC of Reno, Nevada based on their bid in the amount of \$205,952.00.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with Evesco, LLC of Reno, Nevada, in a form acceptable to the Borough Attorney.

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R 263-2023 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**, Resolution 245-2023 requested insertion of an annual grant as revenue in the 2023 budget; and

**WHEREAS**, the CFO/Assistant Borough Administrator has recommended that Resolution 245-2023 be rescinded to correctly state the grant funds; and

**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 Municipal Alliance grant, and

**WHEREAS**, a condition of receiving this grant is that the Borough of Madison must provide a match 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 2023 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 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 Grant**

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

R 264-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RENEWAL OF A RENTAL AGREEMENT FOR USE OF A PORTION OF THE PUBLIC SAFETY COMPLEX BY THE AMERICAN AUTOMOBILE ASSOCIATION (AAA) FOR DEFENSIVE DRIVING INSTRUCTION

**WHEREAS**, the Qualified Purchasing Agent has recommended that the Borough Council authorize renewal of the rental agreement for the use of a portion



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of the Public Safety Complex for use by the American Automobile Association (AAA) for defensive driving instruction; and

**WHEREAS**, the Borough Administrator recommends that the Council approve 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 Administrator is hereby authorized to execute an addendum to renew an agreement for the American Automobile Association (AAA) to use a portion of the Public Safety Complex for defensive driving instruction.

R 265-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING 5K RUN/FUNWALK IN MADISON FOR SATURDAY, NOVEMBER 4, 2023, SPONSORED BY TOREY J SABATINI SCHOOL PTO

**WHEREAS**, the Torey J. Sabatini PTO has requested permission to hold a 5K run/fun walk in Madison on Saturday, November 4, 2023; and

**WHEREAS**, the walk will begin at 9:00 a.m., on Glenwild Road and continue on Loantaka Road, Woodland Road and Green Village Road on the route approved by the Madison Borough Police Chief, said route being approximately 3.1 miles long; and

**WHEREAS**, Police Chief Miscia recommends approval of this request.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Torey J. Sabatini PTO to hold a 5K run/fun walk on Saturday, November 4, 2023, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

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

Current Fund	\$4,306,852.90
General Capital Fund	107,119.60
Electric Operating Fund	571,001.81
Electric Capital Fund	0.00
Water Operating Fund	32,947.76
Water Capital Fund	15,876.00
Trusts	<u>19,464.23</u>
Total	<u>\$5,053,262.30</u>

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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** - None

**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 October 11, 2023 (EO)