

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

**October 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 October, 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, absent for the public portion, excused  
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 27, 2023

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

PERSONNEL MATTERS (1)

PROBATIONARY FIREFIGHTER

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

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LITIGATION MATTERS (2)  
LABOR RELATIONS  
DREW UNIVERSITY

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

CONTRACT MATTERS (4)  
MASONIC LODGE  
MVAC  
HEALTH DEPARTMENT  
EQUALIZATION RATIO

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

Seconded: Ms. Ehrlich  
Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all. Mayor Conley asked for a moment of silence for the passing of the following Madison residents:

Lucy Ann Santucci  
Lajunta Hurt  
Joseph E. Kitchell  
Isabel K. Burroughs  
Arlene Kennedy  
Clara Rose Markovich  
Joseph P. Strelec, Sr.  
Kazuo Otai

Mayor Conley also asked for a moment to remember those recently killed in Israel by Hamas terrorist.

**APPROVAL OF MINUTES**

Mr. Hoover moved approval of the **Executive Minutes of September 27, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

Mr. Hoover moved approval of the **Regular Meeting Minutes of September 27, 2023**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

**GREETINGS TO PUBLIC**

**Employee of the Month for October** is Carmela Cooke for willingness to drive the Senior Van during the regular driver's absence.

**Anniversary** October 19, 2023, Joel Phillips reached 25<sup>th</sup> anniversary with the Borough of Madison.

Mayor Conley present the following proclamation:

*Proclamation  
of the  
Borough of Madison*

*Proclaiming*

**BREAST CANCER AWARENESS MONTH**

**OCTOBER 2023**

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

**WHEREAS**, nearly 300,000 women will be diagnosed with breast cancer this year, and 1 in 8 women in America will be diagnosed with the disease in their lifetimes; and

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

**WHEREAS**, there are many health disparities among underserved communities by income, geography, insurance, race, ethnicity, age and gender who are disproportionately affected by this disease; and

**WHEREAS**, certain factors put some women at a higher risk than others, including age, personal or family history of breast cancer, specific genetic mutations and dense breast tissue; 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.

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim October 2023 as **Breast Cancer Awareness Month** in recognition and support of the patients, families and professionals leading the fight against breast cancer and reaffirm our commitment to supporting breast cancer research and to educating all citizens about its risk factors, detection and treatment.

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Robert H. Conley, Mayor  
October 11, 2023

Mayor Conley presented the following Certificates:

Mayor Conley presented Police Officers Ptl. Renato Capillas, Sgt. James Cavezza, Cpl. Nelson Jimenez, and Ptl. Jonathan Finocchiaro with Certificates of Bravery for their outstanding actions and quick response in preventing an attempted robbery at Gerlach's Jewelers on Main Street, on October 5, 2023. Derek and Justine Fielding owners of Gerlach's were in attendance as well.

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### **Masonic Lodge Grant Signing:**

Mr. Martin Heller was present to ceremoniously sign a grant agreement, along with Mayor Conley, for the purchase of the Masonic Lodge located at 170 Main Street in Madison. The lodge will be dedicated to Mr. Heller's son Mark Heller.

## **REPORTS OF COMMITTEES**

### **Community Affairs**

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

Bottle Hill Day has been postponed and will now take place on Saturday, October 21, 2023. Final preparation for the festival is underway. Vendor applications are being accepted for the new date. If you want to participate, 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. 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, at the Madison Hotel. At the Madison Community Arts Center. The Chatham Senior Center will present monologues and plays written and performed by the seniors from the Center's playwriting workshop this coming Friday, October 13th, at 10:30 am. The Baroque Orchestra of New Jersey will perform a classical, contemporary concert on Sunday, October 15th, at 4:00 pm. The NJ Photography Forum will present a month-long exhibition on the Roseum Walls. On the Road Again features the travel photography of three of the Forum's members. There will be a Red Cross Blood Drive at the Center on Thursday, October 1st and 9th, from 2:00- 7:00 pm. Very Gerry Mastrolia will be hosting Drag Bingo in a benefit for Mutual Morris on Friday, October 20th. The 7:00 pm show is sold out, but tickets are still available for the added 9 pm show. On Sunday, November 5th, the much-celebrated documentary film Joan Baez: I Am a Noise will be screened by the Film Society of Summit.

### **Public Works and Engineering**

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

The Borough Engineer reports that for the library interior renovations project, temporary trailers have been ordered for the public parking lot, and library staff will be preparing for relocation. The first phase of renovations will be the targeted ceiling tile removals. At the MRC multipurpose courts, the final completion list includes the electric LED lighting, minor site drainage improvements and gate adjustments, which are pending. In the meantime, both basketball and pickleball users have made good use of the facility. For the Memorial Park Trails, project, amenities such as signs, benches and kiosks are being installed and final completion is anticipated in November. The Department of Public Works reminds residents if you live near a storm inlet or catch basin, please do not pile your leaves on the grates and leave some room for storm water to get into the basin. Another reminder for residents who wish to request curbside pick-up of air conditioners, refrigerators and large appliances, please contact the Borough Clerk's office to make an appointment and submit payment of \$25.00 for pick-up. Finally, the See Click Fix app is a great way to contact the Borough to report a concern. You can download the app to your phone, take a picture, and submit it for a speedy response.

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### **Utilities**

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

On September 27th and 28th, the Electric Department began pumping water from the manholes on Kings Road between Madison Avenue and Cross Street, in preparation for pulling the fiber optic lines between the Substations.

The Department performed street light repairs, courtesy of a “Street Light Outage” list provided by the Madison Police Department. On September 29th, due to inclement weather, members of the department participated in the Mel Safety Training Class Confined Space Entry from 8:30 am – 11:30 am. That afternoon the department changed the old lights in the Substations to LED and worked on the retro post lights for Main Street. On October 2nd, the staff finished pumping the manholes on Kings Road and responded to a house fire on Niles Avenue, where they removed the electric meter to ensure fire personnel safety. On October 3rd the department continued the street light repairs, completed a solar survey, and loaded the equipment for the fiber run on Kings Road. The Department performed a fiber optic pull on Kings Road in the late night/early morning hours of October 3rd to October 5<sup>th</sup>, staying to complete the fiber optic run during off hours, since Kings Road had to be closed from Madison Avenue to Cross Street. The Electric Department would like to thank the Police Department for providing traffic control during the overnight hours. On October 2nd, the Water Department assisted the Fire Department with the fire hydrant at the Niles Avenue kitchen fire. The Water Department also assisted the Gas Company, PSE&G, when a high-pressure gas main was struck by an outside contractor on October 3<sup>rd</sup>, and the annual fire hydrant and water main flushing program is in progress and is estimated to last for four (4) more 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. Reporting for the Police Department, on October 10, 2023 personnel from Madison Police Department Bureau of Investigation and Morris County Prosecutors Office attended the Madison Chamber of Commerce Business over Breakfast at the Whitehorn Financial Building at 29 Main Street. The presentation consisted of tips on how to detect fraud, identity theft and fraudulent currency. As a reminder the Madison Police Department Traffic Safety Bureau wants to remind residents and parents that the high school should be utilized for overflow parking when the MRC lot is full. Do not park on the grass. The message board was deployed to remind motorists of same. Chief Miscia would like to extend a Thank You to a group of residents who donated thirty (30) Guardian Angel LED lights to the uniformed patrol and traffic personnel. These multi-function LED devices help officers stay more visible when working outside of their vehicles, especially on traffic stops, accident investigations, traffic details/posts and many other types of calls where a lack of visibility could impact their safety. It also enables officers to work with a hands-free light source. These lights provide 5+ miles of visibility and multiple lighting options for our personnel. The fire department had the busiest month ever per call volume. For the month of September 2023, the fire department responded to a total of 154 calls. On October 2nd an appliance fire was reported 52 Niles Ave. Upon arrival it was found to be a kitchen fire. The fire went to a 2nd alarm and was brought under control in 14 minutes. Although the fire was held in the kitchen, smoke and soot damage was done throughout the house. In the coming 2 months the Fire Department, with some members of the Police Department, will be training with NJ Transit on railroad equipment that services Madison. This will be both classroom and hands on. October is fire prevention

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month. Don't forget to change your smoke and carbon monoxide detector batteries. The Fire Department is looking for volunteers. If interested in joining, please go to madisonfd.com and click the "volunteers needed" banner.

### **Public Safety**

Mr. Range, Chair of the Committee, absent.

### **Health**

Mr. Haralampoudis, Chair of the Committee, made the following comments: The Health Department provides information to the community on pain awareness and use of opioid drugs. Contact the Department for information on drug disposal. They're also sending out information regarding a new program 'Take Five to Save Lives', a mental health and suicide prevention program aimed at college students. The Department continues Blood Pressure screening clinics monthly, at the office at Hartley Dodge Memorial, as well as at the Rexford Tucker senior housing facility. The anti-idling campaign continues, with Madison Police Officers handing out bagel coupons to those families not idling at school pick-up and drop-off.

### **Finance and Borough Clerk**

Mr. Forte, Chair of the Committee, made the following comments: From the Finance Department, the Borough has been notified that the Health Insurance plans for employees will increase next year by 5.5%. Other insurance premiums will also increase. The Tax Collector reports that the annual tax sale will be held December 7<sup>th</sup>. On that day, any property owners with unpaid 2022 balances on their taxes or utilities will have a lien placed on their property. There are currently 22 properties in danger of going to sale. Official Tax Sale Notices are being mailed to these owners next week. Added/Omitted tax bills are being mailed by Friday. These bills account for any increase in the value of a property that hasn't yet been billed (for example, increases due to an addition or a new construction). The 4<sup>th</sup> quarter added amount is due on Nov 1<sup>st</sup> with a 10 day grace period, and should be paid in addition to the bill you already received this summer. The Collector's office can help with any questions regarding the bill itself, but anyone with questions about the value of the added assessment should call the Tax Assessor's office. The Tax Collector's office would also like to remind residents that the deadline to file this year's PTR, or "Senior Freeze", form is October 31<sup>st</sup>.

## **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Email dated October 4, 2023, from David Steketee of Fairwood Road regarding traffic at Danforth Road onto Morris Place.

### **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.**

**Claire Whitcomb; Fairwood Road**, noting Resolution 266-2023, thanked the Mayor and Council for their efforts regarding the purchase of the Madison Masonic Lodge.

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

**AGENDA DISCUSSIONS** – None

**ADVERTISED HEARINGS** – None

Ordinances 49-2023, 50-2023 and 51-2023 have a hearing scheduled for October 23, 2023.

**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.**

**Claire Whitcomb; Fairwood Road**, noted the October 12, 2023 meeting of the Morris County Open Space committee, asking if you wish to support the preservation of the Drew Forest, please attend. Ms. Whitcomb also noted the Saturday, September 30<sup>th</sup> Town –wide garage sale, with all donation going to benefit the Drew Forest.

**Rodina Calamarus; Drew University Student**, inquired about the number of Fire Department incidents report under Council reports and the replacement of a fire truck.

**Dalilah Bend; Drew University Student**, noted this is the first time attending a Council meeting, and found it very interesting. Ms. Bend plans to attend future meetings.

**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 November 13, 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 52-2023      ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$85,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT  
FUND FOR THE PURCHASE OF TWENTY-FIVE (25) LED VICTORIAN LAMP  
POST HEADS AND ACCESSORIES

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$85,000.00 from the Electric Capital Improvement Fund for the purchase of twenty-five (25) LED Victorian Lamp Post Heads 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 \$85,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$85,000.00 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 \$85,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of twenty-five (25) LED Victorian Lamp Post Heads and Accessories 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.

Mr. Landrigan moved that Ordinance 52-2023, 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. Haralampoudis, Mr. Forte

Nays: None

Absent: Mr. Range

**ORDINANCE 53-2023      ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$100,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND TO PURCHASE WINDOWS, DOORS AND RELATED IMPROVEMENTS  
FOR THE DEPARTMENT OF PUBLIC WORKS GARAGE**

**WHEREAS**, the Director of Public Works has recommended that the Borough appropriate \$100,000.00 from the General Capital Improvement Fund to purchase windows, doors and related improvements for the Department of Public Works Garage; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$100,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$100,000.00 from the General Capital Improvement Fund to purchase windows, doors and related improvements for the Department of Public Works Garage.

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



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SECTION 1: The amount of \$100,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase windows, doors and related improvements for the Department of Public Works Garage.

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

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

Ms. Ehrlich moved that Ordinance 53-2023, which the Borough Clerk read by title, be adopted. Mr. Forte seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Range

ORDINANCE 54-2023    ORDINANCE OF THE BOROUGH OF MADISON  
AUTHORIZING THE ACQUISITION OF REAL PROPERTY, LOCATED AT 170  
MAIN STREET, MADISON, N.J. AND IDENTIFIED AS BLOCK 2001, LOT 17, FOR  
PUBLIC PURPOSES

**WHEREAS**, the Borough of Madison (the “Borough”) wishes to obtain title to the real property known and designated as 170 Main Street Madison, N.J. and more particularly described as Block 2001, Lot 17 on the Tax Map of the Borough of Madison (the “Property”); and

**WHEREAS**, the property is presently owned by Madison Lodge No. 93 Free and Accepted Masons, (the “Sellers”); and

**WHEREAS**, the Borough desires to rehabilitate and utilize the Property and the improvements thereon as a Senior Center and other ancillary municipal purposes; and

**WHEREAS**, the Borough agrees to the Purchase Price; and

**WHEREAS**, the acceptance of title to the Property for public purposes is in the best interest of the citizens of the Borough of Madison; and

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

SECTION 1: The Borough of Madison, pursuant to the Local Lands and Buildings Law, specifically N.J.S.A. 40A:12-5(a)(1), shall acquire title to the property located at 170 Main Street, Madison, N.J. and designated as Block 2001, Lot 17 on the Tax Map of the Borough of Madison for the purpose of rehabilitating and utilizing the Property and the improvements thereon as a Senior Center and other ancillary municipal purposes..

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SECTION 2: The Borough Administrator, Mayor, Borough Clerk, and Borough Attorney be and they are authorized and directed to execute all documents necessary to effectuate this transfer.

SECTION 3: If any section, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, portion or other part of this Ordinance directly involved in the controversy in which such judgement shall be rendered.

SECTION 4: All ordinances, or parts thereof, which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 5: This ordinance shall take effect immediately upon final passage and publication according to law.

Mr. Hoover moved that Ordinance 54-2023, which the Borough Clerk read by title, be adopted. 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. Haralampoudis, Mr. Forte  
Nays: None  
Absent: Mr. Range

**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. Haralampoudis, Mr. Forte  
Nays: None  
Absent: Mr. Range

R 266-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A \$1,000,000.00 GRANT AGREEMENT BETWEEN THE BOROUGH OF MADISON AND MARTIN HELLER FOR ACQUISITION OF THE MASONIC LODGE

**WHEREAS**, the Borough Administrator has recommended that the Borough Council approve execution of a \$1,000,000.00 Grant Agreement regarding the potential purchase of the historic Masonic Lodge, located at 170 Main Street, Madison; and

**WHEREAS**, the Borough Council has determined to approve the execution of the Grant Agreement attached hereto.

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**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 Grant Agreement with Mr. Martin Heller to fund the potential purchase of the Masonic Lodge, in a form approved by the Borough Attorney.

**R 267-2023 RESOLUTION OF THE MADISON BOROUGH COUNCIL  
APPOINTING JOHN DOWNS TO THE POSITION OF PROBATIONARY  
FIREFIGHTER**

**WHEREAS**, Acting Fire Chief Kyle Wickman has recommended the appointment of John Downs to the position of probationary firefighter in the paid division of the Madison Borough Fire Department; and

**WHEREAS**, Acting Fire Chief Wickman has certified that John Downs is a fully qualified firefighter; and

**WHEREAS**, the Mayor and Council have reviewed the recommendation and accept the Acting Fire Chief's representations that John Downs has met all requirements to be a probationary firefighter in the paid division.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that John Downs is hereby appointed to the position of probationary firefighter in the paid division of the Madison Borough Fire Department, to fill the vacancy created by the resignation of Firefighter/EMT Luke McCorry.

**BE IT FURTHER RESOLVED**, that he be compensated in accordance with the terms of the Collective Bargaining Agreement between the Firemen's Mutual Benevolent Association Local No. 74 and the Borough. The effective starting date to be confirmed with the Personnel Director. This appointment is subject to John Downs being certified as an EMT within nine (9) months of the effective starting date.

**R 268-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING  
AN EXTENSION OF A CONTRACT FOR TREE TRIMMING AND TREE REMOVAL  
SERVICES WITH HONOR TREE SERVICES**

**WHEREAS**, the Qualified Purchasing Agent has recommended that the Borough Council authorize a second extension of a contract for tree trimming and tree removal with Honor Tree Services for an additional one-year period through December 31, 2024; and

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**WHEREAS**, the Borough Administrator recommends that the Council approve the extension of the contract with Honor Tree Services; and

**WHEREAS**, this extension is expressly subject to adequate funding for this purpose in the 2024 municipal budget.

**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 to execute a second and final extension of the contract for tree trimming and tree removal services with Honor Tree Services for one year at the price set forth in the current contract and vendor proposal.

**R 269-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AN EXTENSION OF A CONTRACT FOR ON-SITE LOG & BRUSH GRINDING SERVICES WITH NORTHEAST PRODUCTS**

**WHEREAS**, the Qualified Purchasing Agent has recommended that the Borough Council authorize an extension of a contract for On-Site Log & Brush Grinding services with Northeast Products of Ledgewood, N.J. for an additional one-year period through December 31, 2024; and

**WHEREAS**, the Borough Administrator recommends that the Council approve the extension of the contract with Northeast Products; and

**WHEREAS**, this extension is expressly subject to adequate funding for this purpose in the 2024 municipal budget.

**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 to execute an extension of the contract for On-Site Log & Brush Grinding services with Northeast Products for one year at the price set forth in the current contract and vendor proposal.

**R 270-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AN EXTENSION OF A CONTRACT FOR PREVENTIVE MAINTENANCE/REPAIR OF SEWER PUMP STATION EQUIPMENT WITH RAPID PUMP & METER SERVICES CO.**

**WHEREAS**, the Qualified Purchasing Agent has recommended that the Borough Council authorize a second extension of a contract for Preventive Maintenance/Repair of Sewer Pump Station Equipment with Rapid Pump & Meter Services Co. of Paterson, N.J. for an additional one-year period through December 31, 2024; and

**WHEREAS**, the Borough Administrator recommends that the Council approve the extension of the contract with Rapid Pump & Meter Services Co.; and

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**WHEREAS**, this extension is expressly subject to adequate funding for this purpose in the 2024 municipal budget.

**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 to execute a second and final extension of the contract for Preventive Maintenance/Repair of Sewer Pump Station Equipment with Rapid Pump & Meter Services Co. for one year at the price set forth in the current contract and vendor proposal.

**R 271-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RENEWAL OF A SHARED SERVICE AGREEMENT WITH THE SENIOR CENTER OF CHATHAMS TO PROVIDE SOCIAL, RECREATIONAL, EDUCATIONAL AND WELLNESS PROGRAMS TO MADISON RESIDENTS AND AUTHORIZE FUNDING FOR CAPITAL IMPROVEMENTS**

**WHEREAS**, the Borough of Madison wishes to renew a Shared Services agreement for the provision of Senior Services, wherein the Senior Center of Chathams provides social, recreational, educational and wellness programs to Madison residents, pursuant to the attached contract with the Senior Center of Chathams; and

**WHEREAS**, the Borough also wishes to contribute a one-time lump sum of \$10,000.00 for capital improvements to the senior center; and

**WHEREAS**, the Madison Borough Council has determined to authorize said shared services agreement and a one-time lump sum of \$10,000.00 for capital improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into a Shared Services agreement with the Senior Center of Chathams for the provision of senior services, such agreement to be in a form approved by the Madison Borough Attorney.

**R 272-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RENEWAL OF AN AGREEMENT FOR AN EMPLOYEE ASSISTANCE PROGRAM WITH ATLANTIC HEALTH SYSTEM**

**WHEREAS**, the Borough of Madison wishes to renew the contract with Atlantic Health System for an Employee Assistance Program (EAP) as hereinafter set forth, in consideration of payment as hereinafter provided; and

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**WHEREAS**, the Borough Council has determined to approve the renewal of an agreement with Atlantic Health System for an Employee Assistance Program (EAP).

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison County of Morris, State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute a renewal of the contract for an Employee Assistance Program (EAP) with Atlantic Health System, in a form approved by the Borough Attorney.

**R 273-2023 RESOLUTION OF THE BOROUGH OF MADISON AMENDING BOROUGH OF MADISON PERSONNEL POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the Personnel Director has recommended that the Borough amend the Personnel Policies and Procedures Manual to reflect updated policy changes for Borough employees; and

**WHEREAS**, the Borough Council has determined that the Borough should amend the Personnel Policies and Procedures Manual.

**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 said Personnel Policies and Procedures Manual is hereby amended to reflect updated policy changes for Borough employees.

**BE IT FURTHER RESOLVED** that a copy of the amended Employee Handbook/ Policies and Procedures Manual be distributed to all employees.

**R 274-2023 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR FAMILY PROMISE OF MORRIS COUNTY**

**WHEREAS**, Family Promise of Morris County has requested permission to put up temporary signs advertising the Homebound Hustle 5k & 1 Mile Walk on November 4, 2023, at Central Park of Morris County; and

**WHEREAS**, up to ten (10) signs would be located at various intersections and in the Borough right-of way, commencing on October 23, 2023 and removed by November 8, 2023; and

**WHEREAS**, the Zoning Officer has recommended that a temporary sign permit be issued.

**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 request of Family

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Promise of Morris County to put up temporary signs as described herein from October 23, 2023 and removed by November 8, 2023, is approved.

**R 275-2023 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING MEMBERSHIP OF JUSTIN HANNAH IN THE MADISON HOSE COMPANY #1**

**WHEREAS**, the Acting Fire Chief has advised that Ms. Justin Hannah was voted into the Madison Hose Company #1 as a volunteer firefighter; and

**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 Justin Hannah is hereby confirmed as a member of the Madison Hose Company #1 effective immediately.

**R 276-2023 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING SCHOOL CROSSING GUARDS FOR THE 2023-2024 SCHOOL YEAR**

**WHEREAS**, N.J.S.A. 40A:9-154.1 provides that municipalities may appoint school crossing guards for terms not exceeding one year.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following school crossing guards are hereby appointed for the 2023-2024 school year commencing September 5, 2023 and ending June 20, 2023, unless the school year is extended due to winter weather closings:

PAMELA ALLOCCO  
MICHAEL E. ANTONIELLO  
JOHN BENENSKY  
JANET M. BRUNS  
VIRGINIA G. CERCIELLO  
PATRICIA M. COHEN  
LORENZO D'AMATO  
RICHARD DEO  
WILLIAM B. DIMARTINO  
CATERINE M. ECKES  
JOAN C. FINELLI  
GERARDO FRISOLI JR.  
KEITH M. GATTI  
JOHN GIANCAMILLO  
THERESA A. GIORDANO  
MIROSLAV HADVAB

JOSEPH HEALY  
DIANE J. HINDS  
JAMIE D. LIMONE  
NICHOLAS LOSAVIO  
MARY L. MARANO  
JOSEPH S. MONTAGNA  
KELLY PERALTA  
ROBERT PETOIA  
PATRICIA A. PFUEGER  
THOMAS B. RIDDLEBERGER  
MARTIN S. SNOOK  
KENNETH D. SPENCER  
ROSEANN M. TROMANDA  
JUANITA L. VAN RYZIN  
MARIO R. VASQUEZ  
CARMEN G. VASTO  
AGNES R. YULIANO

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**R 277-2023 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JOHN LABARBERA TO THE POSITION OF SUBSTITUTE CROSSING GUARD**

**WHEREAS**, the Personnel Director has recommended appointing John LaBarbera to the position of Substitute Crossing Guard; and

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

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

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

**R 278-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MEDICAL AND PRESCRIPTION DRUG PLAN OFFERINGS UNDER THE NORTH JERSEY HEALTH INSURANCE FUND**

**WHEREAS**, Chapter 78, P.L. 2011 requires a Local Government employer participating in any Health Benefits Plan to offer employees a minimum of three (3) coverage levels options plus a high deductible health plan; and

**WHEREAS**, the Borough of Madison is choosing to satisfy the Chapter 78, P.L. 2011 prescribed minimum by offering the following six (6) plans for the Plan Year 2024 to its eligible employees/eligible dependents.

- Aetna Open Access 15
- Aetna Open Access 15/25
- Aetna Open Access 20/20
- Aetna Open Access 20/35
- Aetna Wholehealth
- Aetna HDHP 4000

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

- 1) The Borough shall offer the above referenced six (6) North Jersey Health Insurance Fund Plans offerings to eligible employees and their dependents.
- 2) The above referenced six (6) ) North Jersey Health Insurance Fund Plan offerings will be the sole offerings for the 2024 Plan Year with these plan offerings to remain fixed and in effect until the earlier of the following:
  - a. Change in North Jersey Health Insurance Fund offerings.



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- b. Borough of Madison withdrawal from the North Jersey Health Insurance Fund program.

**R 279-2023 RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT TO AGREEMENT TO RESOLVE DIFFERENCES CONCERNING PLANNED UNIT DEVELOPMENT**

**WHEREAS**, on or about December 24, 2007, the Borough of Madison (the “Borough” or “Madison”), the Borough of Florham Park (“Florham Park”), Rock-GW LLC (“Rock-GW”) and Rock-Florham LLC (“Rock-Florham”), collectively referred to as the “Parties”, entered into an agreement referred to as the Agreement to Resolve Differences Concerning Planned Unit Development (the “Original Agreement”), which Original Agreement resolved differences between the Parties regarding a planned unit development on property predominantly located in Florham Park; and

**WHEREAS**, the Original Agreement contemplated, inter alia, that Rock-Florham would convey to Florham Park, approximately two acres of land then referred to as “Lot 5”, which land is now designated as Block 1401, Lot 5.01 on Florham Park’s official Tax Map (the “Florham Park Transfer Parcel”); and

**WHEREAS**, the Original Agreement contemplated, inter alia, approximately two acres of land then referred to as “Lot 5”, which land is now designated as Block 1401, Lot 5.01 on Florham Park’s official Tax Map (the “Florham Park Transfer Parcel”) would be transferred from Rock-Florham to Florham Park for use as a fire and/or first aid station, or for other municipal purposes mutually acceptable to both Florham Park and Madison, and that the limitations on the use of the Florham Park Transfer Parcel would be incorporated into the deed conveying the Florham Park Transfer Parcel; and

**WHEREAS**, at this time, Florham Park has requested that the limitation on the use of the Florham Park Transfer Parcel be modified so as to permit, in addition to a fire and/or first aid station, an advertising sign for off-premise purposes; and

**WHEREAS**, the Borough has reviewed the Amendment to the Original Agreement and seeks to accept and agree to the terms of same.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the Amendment to Agreement to Resolve Differences Concerning Planned Unit Development with the Borough of Florham Park, Rock-GW LLC and Rock-Florham LLC, in a form acceptable to the Borough Counsel.
2. A copy of this Resolution shall be provided to the Borough Clerk of the Borough of Florham Park and to the Borough Attorney for the Borough of Florham Park for their information and guidance.
3. This Resolution shall take effect immediately.

**R 280-2023 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2023**

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

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

**WHEREAS**, the Borough of Madison will receive \$4,000,000.00 from the Hartley Dodge Foundation Grant and wishes to amend its 2023 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 as follows:

Miscellaneous Revenues

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

Local Grant in the sum of \$4,000,000.00; and

**BE IT FURTHER RESOLVED** that the like sum of \$20,000.00 is hereby appropriated under the caption of:

General Appropriations

Operation Excluded from 3.5% Caps

Local Grant Off-set by Revenues:

Hartley Dodge Foundation Grant –

Other Expenses                      \$4,000,000.00

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

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

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

Current Fund	\$255,518.22
General Capital Fund	14,438.41
Electric Operating Fund	49,641.20
Electric Capital Fund	0.00
Water Operating Fund	11,527.82

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Water Capital Fund	0.00
Trusts	<u>42,939.70</u>
Total	<u>\$374,065.35</u>

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

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

Nays: None

Absent: Mr. Range

**NEW BUSINESS** - None

**ADJOURN**

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

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved October 23, 2023 (EO)