

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

**October 12, 2022 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 12<sup>th</sup> day of October, 2022. Acting Mayor Landrigan 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 6, 2022. 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, absent, excused.

Council Members:

John F. Hoover, via teleconference

Debra J. Coen

Rachael Ehrlich

Robert Landrigan

Eric Range

Maureen Byrne, absent, excused

Also Present:

Raymond M. Codey, Borough Administrator, absent, excused

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**

Mr. Range moved:

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

MINUTES FOR APPROVAL (1)

September 26, 2022

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

CONTRACT MATTERS (2)

VERIZON

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MEMORIAL PARK TRAIL CONSTRUCTION

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

PERSONNEL MATTERS (1)

DPW HIRING AUTHORIZATION

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

LITIGATION MATTERS (1)

DREW UNIVERSITY

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

Seconded: Ms. Ehrlich

Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

Acting Mayor Landrigan 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 26, 2022**. Ms. Coen seconded the motion which passed with a unanimous voice call vote recorded.

Mr. Range moved approval of the **Regular Meeting Minutes of September 26, 2022**. Ms. Coen seconded the motion, which passed with a unanimous voice call vote recorded.

**GREETINGS TO PUBLIC**

Acting Mayor Landrigan made the following comments:

EMPLOYEES OF THE MONTH FOR OCTOBER:

Firefighters Tom Boylan and Troy Pehowic have been selected as Employees for the Month for October. While performing a routine smoke and carbon monoxide detector check for a senior citizen in Madison, the firemen noticed a natural gas odor. They located the leak, called PSE&G and explained the situation to the service person who found other issues that needed to be addressed in the house. Because of Tom and Troy's vigilance, a possible catastrophic outcome was avoided.

**REPORTS OF COMMITTEES**

**Community Affairs**

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

The next meeting of the Downtown Development Commission will be held on Thursday, October 20th, at 7:15 p.m. in the Committee Room, 2nd Floor, Hartley Dodge Memorial Building. The Madison Farmers Market season continues through Thursday, November 17th. The annual fall festival, Bottle Hill Day, had to be rescheduled due to Hurricane Ian. The rescheduled event takes place on Saturday, October 15th, from 10:00 a.m. to 5:00 pm. This will mark the 47th Anniversary of this signature Madison, NJ, event. The 6th Annual Trunk or Treat and Pumpkin Illumination will be held on Friday, October 28th, beginning at 5:00 p.m. Prizes will be given to the top three decorated cars or trucks. Proceeds will benefit the Madison Volunteer Ambulance Corps. Look for registration information on the I Love Madison, NJ, Facebook page. From the Chamber of Commerce, the Madison Car

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Show was canceled and will not be rescheduled for this year. Cornstalks & Scarecrows decorated by chamber businesses will be up on Waverly Place from October 18th to November 1st. The Halloween Parade & Magic Show is scheduled for Saturday, October 29th. Visit the chamber's website at [MadisonNJChamber.org](http://MadisonNJChamber.org) for more information. And at the Madison Community Arts Center, on October 18th, the first gallery show with the new Gallery Systems hardware: Madison-affiliated artist Maria Lupo. The show will be on the walls until December 4, 2022. Gallery hours will be posted on the website. The Center will host a TEDx talk on October 25, including Madison resident Andy Breckman. From November 28<sup>th</sup> through December 3<sup>rd</sup>, the Center will host a week-long Festival of Dance featuring a number of dance forms, including Carolyn Dorfman. The festival's final day will be a Benefit for the People of Ukraine, featuring Ukrainian Folk Dancers and the Ukrainian modern dancer Oksana Horban. A small exhibit of art from students in Ukraine will be on the walls. On February 21<sup>st</sup> the center will host a complete show of the Ukrainian student art until April 4th in partnership with the Center for Holocaust and Genocide Education at Saint Elizabeth University.

### **Finance and Borough Clerk**

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

Ms. Coen noted an increase in the employee health benefits through the State Health plan. Borough Administration is working to find alternative plans. Listed for hearing this evening is Ordinance 45-2022, for substation repairs, including climate control. The Borough Tax Collector held the annual tax sale this week, noting no liens by outside investors.

### **Public Works and Engineering**

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

The Engineering Department reports continued work on the Cook Avenue parking lot lighting project and the MRC pickle ball field surveys should be completed this month. The department continues work on the annual road program for 2023. The Department of Public works notes replacement of numerous street ID markers throughout town. They have dropped off loads of Styrofoam as the program is gaining popularity and the amount being recycled is increasing monthly. Other tasks include repairs to various trip hazards downtown have been completed, in conjunction with Director of Business Development Lisa Ellis, upgrades to the fall zones at Dodge playground and Lucy D field. Painted all the soccer fields. Prepped train station for plantings that will be transplanted from the Civic Center, and worked on all leaf equipment for leaf season.

### **Health**

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

Morris County COVID status is back to Medium, with a slight increase in hospitalizations. Vaccines are available that address new variants. The Health Department will hold seasonal influenza clinics on October 25<sup>th</sup> and 27<sup>th</sup> at the Hartley Dodge Memorial. Appointments can be made online at [rosenet.org](http://rosenet.org). The annual rabies clinic will be held on Saturday, December 3<sup>rd</sup>, at the John Street DPW garage.

### **Public Safety**

Ms. Byrne, Chair of the Committee, absent.

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### **Utilities**

Mr. Landrigan, Chair of the Committee, made the following comments:  
The Department has been working on our inventory in anticipation of placing a Materials Bid. The Department has also been working diligently cleaning and maintaining our equipment. On Wednesday, September 28, 2022, Niles Avenue experienced a power outage due to a squirrel. Full power was restored in half an hour. The Stand-by crew was called out October 5th for no power on the Park Avenue circuit due to a broken cut-out box. The Crew had to shut down the circuit to replace two (2) boxes. Full power was restored in half an hour. The Electric Department disconnected the service at 38 Walnut Street, removed the meters, and removed the transformers from the poles, in anticipation of demolition. The Department continues to complete Solar Tie-Ins, House Services, Mark Outs, and Trouble Calls. The department also continue to meet with contractors on site to discuss the ongoing projects throughout the Borough.

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Email dated October 12, 2022, from Thomas Salaki, Fairwood Road, regarding location of the proposed pickle ball courts.

### **INVITATION FOR COMMENT (1 of 2)**

Acting Mayor Landrigan opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Acting Mayor Landrigan 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**, inquired about increases to employee health benefits, and explanation of the playground trust fund noted in Resolution 260-2022.

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

### **AGENDA DISCUSSIONS**

#### **10/12/2022-1 DODGE FIELD PLAYGROUND UPDATE**

Ms. Coen provide an update on proposed improvements to the Dodge Field playground, including all inclusive concept designs, fully compliant with ADA standards. Interactive swings, slides, monkey bars and a merry-go-round are some of the suggested improvements. The next steps will be a final site plan for review, with Borough departments and committees input and public bidding. Ms. Coen noted a suggested timeline, anticipating completion by mid-June 2023.

#### **10/12/2022-2 WELLNESS WALK – OCTOBER 23, 2022**

The support Network of Madison, along with the Rotary and Madison Area YMCA, will sponsor an event on October 23rd that encourages mental health awareness reducing the stigma of mental care and help build support through various activities. Jennifer Walters, of the Support Network, provided information regarding the event including food trucks, and a concert by musical group The Thorns. A welcome address by Mayor Conley will begin the event at 11:30 a.m.

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**ADVERTISED HEARINGS**

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on September 26, 2022, 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.

Acting Mayor Landrigan called up Ordinances for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 45-2022  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$300,000.00 FROM THE RESERVE FOR ELECTRIC UTILITY  
SUBSTATION FUND FOR REPAIRS AND RELATED MATERIALS**

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$300,000.00 from the Reserve for Electric Utility Substation Fund for Substation Repairs and Improvements and related materials and services; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Electric Utility Substation Reserve Fund in an amount not to exceed \$300,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$300,000.00 from the Electric Utility Substation Reserve Fund for Substation Repairs and Improvements and related materials and services.

**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 \$300,000.00 is hereby appropriated from the Electric Utility Substation Reserve Fund for Substation Repairs and Improvements and related materials and services.

**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.

Acting Mayor Landrigan opened up the public hearing on Ordinance 45-2022. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 45-2022, which was read by title, be finally adopted. Mr. Range seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Coen, Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

Absent: Ms. Byrne

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Acting Mayor Landrigan declared Ordinance 45-2022 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)**

Acting Mayor Landrigan opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Acting Mayor Landrigan 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.**

**Kate Ransom Silliman; Highland Avenue**, on behalf of the Friends of the Drew Forest, congratulated the Borough on the 2022 Municipal Leadership Award.

**Lenora Clark; Seven Oak Circle**, commented on public safety, noting high turnover in the Madison Police Department and fewer police officers on staff than in previous years.

**Alex Jennings, Edgewood Road**, thanked Council member Deb Coen for her efforts regarding an all-inclusive playground, noting her children could have benefited from a similar playground years ago.

**Thomas Haralampoudis; Pomeroy Road**, offered support for the playground improvements project and asked what portion of the project could be done in-house.

**Patrick Flaherty; Spring Garden Road**, thanked Council member Deb Coen for presentation on the accessible playground and noted that access to the playground should be accessible as well.

**Jen Walters; Alma Avenue**, asked that a quiet area be included in the new playground design for children with sensory concerns.

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

**INTRODUCTION OF ORDINANCES**

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of November 14, 2022 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.

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

ORDINANCE 46-2022    ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING SECTION 56-4 OF THE BOROUGH CODE TO SET ANNUAL  
ALCOHOLIC BEVERAGE LICENSE FEES FOR A THEATER EXCEPTION  
LICENSE #37

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**WHEREAS**, the Borough Council has determined that an Alcoholic Beverage License #37 – Theater Exception should be issued in the Borough of Madison; and

**WHEREAS**, the Borough Clerk has determined that there is a need to amend the Borough Code to reflect a Theater Exception License # 37, and set annual fees.

**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 56 of the Borough Code entitled “Alcoholic Beverages” shall be amended as follows:

**SECTION 1:**

§ 56-4 Fees established.

Annual fees for licenses to sell alcoholic beverages in the Borough of Madison, , shall be as follows:

.....

D. Plenary Consumption License - Theater Exception #37: \$250.00

**SECTION 2:** All other provisions of the Ordinance not inconsistent herewith shall remain the same.

Ms. Coen moved that Ordinance 46-2022, 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. Coen, Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

Absent: Ms. Byrne

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

Yeas: Mr. Hoover, Ms. Coen, Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

Absent: Ms. Byrne

R 259-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE TERMINATION OF THE JOINT POLE USE AGREEMENT BETWEEN VERIZON AND THE BOROUGH OF MADISON

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**WHEREAS**, the Borough Administrator has recommended that the Borough terminate the attached Joint Use of Poles Agreement between New Jersey Bell Telephone Company (successor entity “Verizon”) and the Borough of Madison dated October 9, 1950, (the Agreement) and;

**WHEREAS**, the agreement allows for termination by either party with one (1) year’s advance notice in writing to terminate the Agreement; and

**WHEREAS**, the Borough Council has determined to terminate the Agreement

and give notice of such termination to be effective on October 13, 2023 at midnight.

**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 Administrator is hereby authorized to execute, on behalf of the Borough, a notice of termination of the Joint Use of Poles Agreement between New Jersey Bell Telephone Company (successor entity “Verizon”) and the Borough of Madison, which shall be effective on October 13, 2023 at midnight, and to immediately forward said notice to the appropriate Verizon representative.

**R 260-2022 RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE MEMORIAL PARK TRAIL CONSTRUCTION - PHASE I PROJECT AND AUTHORIZING REBID**

**WHEREAS**, the Borough of Madison publicly advertised for bids for the Memorial Park Trail Construction - Phase I project in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, two (2) bids were received from Clarke Moynihan Landscaping & Construction LLC, of Andover, NJ and Balitano Contracting, Company, of Fort Lee, NJ and opened on Wednesday, September 28, 2022. All bids substantially exceeded the cost estimate for this project; and

**WHEREAS**, the Qualified Purchasing Agent and Borough Attorney have recommended that the bids be rejected pursuant to N.J.S.A. 40A:11-13.2(b) and rebid;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that all bids received on September 28, 2022 for the Memorial Park Trail Construction - Phase I project are hereby rejected for the reasons set forth herein and the Borough Administrator is authorized to solicit new bids.



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R 261-2022 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 2022

**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 \$1,589.39 from the 2022 State Body Armor Replacement Fund (BARF) Program and wishes to amend its 2022 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 2022 in the sum of \$1589.39, which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of

the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations; and

**BE IT FURTHER RESOLVED** that the like sum of \$1,589.39 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 3.5% Caps

State and Federal programs Off-set by Revenues:

2022 State Body Armor Replacement Fund Program –

Other Expenses	\$1,589.39
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**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

R 262-2022 RESOLUTION OF THE BOROUGH OF MADISON PROCLAIMING SATURDAY, OCTOBER 15, 2022 AS BOTTLE HILL DAY AND AUTHORIZING BEER GARDEN

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**WHEREAS**, scheduled events for Bottle Hill day were previously approved by Resolution 244-2022; and

**WHEREAS**, due to Hurricane Ian, events had to be postponed on October 1, 2022; and

**WHEREAS**, the Mayor and Council of the Borough of Madison have supported the celebration of Bottle Hill Day for the last forty years; and

**WHEREAS**, Bottle Hill was the name given the community formed in Madison prior to the American Revolution; and

**WHEREAS**, celebrations commemorating Bottle Hill have been an integral part of the history of Madison; and

**WHEREAS**, Bottle Hill Day provides an excellent opportunity for all members of Madison families to participate in a Borough recreational activity.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that October 15, 2022 is hereby proclaimed as **BOTTLE HILL DAY**.

**BE IT FURTHER RESOLVED**, that the following activities are hereby authorized between the hours of 10 a.m. and 6 p.m.:

(1) Merchants contiguous to the sidewalks along the north and south sides of Main Street between Community Place and Greenwood Avenue, both sides of Green Village Road from Kings Road to Main Street, Central Avenue and Waverly Place shall be permitted to sell their merchandise on the sidewalks assuming they provide clear access for pedestrians.

(2) Vendors, entertainment and activities shall be allowed to set up at various locations that are approved by the Police Department and the Assistant Borough Administrator/CFO, on the western portion of Lincoln Place, both sides of Waverly Place, both sides of Central Avenue (from Main Street to Brittin Street), and Green Village Road between the James Building and the Museum of Early Trades and Crafts, which streets shall be closed to motor vehicle traffic during the event.

(3) The Downtown Development Commission together with the Madison Main Street Foundation shall be permitted to operate a beer garden on Kings Road, subject to such restrictions or conditions as may be required by the Madison Chief of Police. Alcohol is permitted only in the beer garden on Kings Road. The location of the beer garden on Kings Road shall be determined by the Assistant Borough Administrator/CFO.

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R 263-2022 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 Madison Police Chief has recommended that the Borough Council authorize renewal of the rental agreement for the use of a portion 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 264-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY THE GRACE EPISCOPAL CHURCH IN MADISON

**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:

GRACE EPISCOPAL CHURCH IN MADISON

I.D. No. 274-1-35285  
R.A. No. 1542 - On-Premise 50/50  
Date of Raffle - October 22, 2022  
R.A. No. 1543 - On-Premise Merchandise  
Date of Raffle - October 22, 2022

R 265-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY OFFICE OF ATTORNEY GENERAL FOR THE AUTOMATED LICENSE PLATE READER INITIATIVE NOAF

**WHEREAS**, the Madison Police Chief has prepared a grant application to be submitted to the New Jersey Office of Attorney General for the Automated License Plate Reader Initiative NOAF grant; and

**WHEREAS**, the Borough Administrator has recommended that said grant be submitted and if approved, a grant agreement be executed.

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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 Mayor and Borough Clerk are authorized to execute the grant application with the New Jersey Office of Attorney General Grant application to the Automated License Plate Reader Initiative NOAF Grant for additional license plate readers within the Borough of Madison, in a form approved by the Borough Attorney.

**R 266-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING PLAYGROUND TRUST FUND DISBURSEMENT**

**WHEREAS**, the Assistant Borough Administrator/CFO has recommended a grant from the Playground Trust Fund to help electrify a shed at the Community Garden and redesign the Rose Garden; and

**WHEREAS**, the Borough Council has determined to approve the request for funds from the Playground Trust fund and to thereafter, close the Playground Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Playground Trust Fund be disbursed to the Community Garden to help electrify a shed and the remainder to the Friends of the Madison Shade Trees for the redesign of the Rose Garden Park, is hereby approved.

**R 267-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE NEGOTIATION OF A CONTRACT FOR THE PURCHASE OF NEW, UNUSED WATER UTILITY ELECTRONIC AMR/AMI SYSTEM WATER METER COMMUNICATIONS MODULES**

**WHEREAS**, the Borough of Madison publicly advertised for bids for the purchase of New, Unused Water Utility Electronic AMR/AMI System Water Meter Communications Modules on two (2) occasions; and

**WHEREAS**, on the first occasion the sole bidder was rejected for being non-responsive and on the second occasion, no bids were received; and

**WHEREAS**, the Qualified Purchasing Agent and Borough Attorney have determined that a contract should be negotiated for the purchase of New, Unused Water Utility Electronic AMR/AMI System Water Meter Communications Modules in accordance with N.J.S. A. 40A:11.5(3); and

**WHEREAS**, the Borough Council has determined to approve the request to negotiate a contract for the purchase of New, Unused Water Utility Electronic AMR/AMI System Water Meter Communications Modules.

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**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Assistant Borough Administrator/CFO and Qualified Purchasing Agent are hereby authorized to negotiate a contract for the Purchase of New, Unused Water Utility Electronic AMR/AMI System Water Meter Communications Modules in accordance with N.J.S.A 40A:11.5(3).

R 268-2022 RESOLUTION OF THE BOROUGH OF MADISON AWARDED BID FOR THE PURCHASE OF NEW, UNUSED ELECTRIC UTILITY ELECTRONIC AMR/AMI SYSTEM REVENUE METERS AND WATER UTILITY ELECTRONIC AMR/AMI SYSTEM METER COMMUNICATIONS MODULE TO BYRAM LABORATORIES, INC.

**WHEREAS**, the Borough of Madison publicly advertised twice for bids for the purchase of new, unused Water Utility Electronic AMR/AMI System Meter Communications Modules (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, on two (2) occasions, bids were rejected and/or not received; and

**WHEREAS**, Resolution 267-2022, authorizes the negotiation of a contract for new, unused Water Utility Electronic AMR/AMI System Meter Communications Modules; and

**WHEREAS**, following negotiations, the Purchasing Agent and Assistant Borough Administrator/CFO have recommended that the Borough Council award the contract to Byram Laboratories, Inc. in the amount of \$344,400.00; and

**WHEREAS**, funds are available in Ordinance 24-2022 or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The contract for the purchase of new, unused Water Utility Electronic AMR/AMI System Meter Communications Modules is hereby awarded to Byram Laboratories, Inc. based upon its qualified bid, in the amount of \$344,400.00.

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

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**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

On motion by Mr. Hoover, seconded by Ms. Coen 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	\$368,761.68
General Capital Fund	23,447.20
Electric Operating Fund	191,817.84
Electric Capital Fund	6,314.04
Water Operating Fund	15,840.04
Water Capital Fund	22,490.00
Trusts	<u>157,105.60</u>
Total	<u>\$785,776.40</u>

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

Yeas: Mr. Hoover, Ms. Coen, Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

Absent: Ms. Byrne

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved November 14, 2022 (EO)