

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

July 13, 2009 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 13th day of July 2009. Mayor Holden called the meeting to order at 7 p.m. in the Mayor's Office, Room #210 of Bayley-Ellard High School, 205 Madison Avenue, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Acting 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 Bayley-Ellard High School, and filing a copy in the office of the Clerk, all on January 6, 2009. This Notice was made available to members of the general public."

ROLL CALL

The Acting Borough Clerk called the roll and the following acknowledged their presence:

Mayor Mary-Anna Holden

Council Members:

Astri J. Baillie

John M. Elias

Robert H. Conley

Jeannie Tsukamoto

Vincent A. Esposito

Carmela Vitale

Also Present:

Raymond M. Codey, Borough Administrator

Marilyn Schaefer, Borough Clerk

Elizabeth Osborne, Acting Borough Clerk

Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

Two Litigation Matters, one Contract Matter and one Personnel Matter, plus 2006 Executive and Public Session Minutes, were added to the Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mrs. Tsukamoto moved:

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

MINUTES (10)
JUNE 22, 2009 EXECUTIVE

2006 EXECUTIVE MINUTES & PUBLIC SESSIONS OF EXECUTIVE MEETINGS

CONTRACT MATTERS (7)
HEALTH DEPARTMENT CONTRACT PROCESS
CONSTRUCTION MANAGEMENT SERVICES

ANNEXATION AND SUBDIVISION OF MADISON RECREATION CENTER
FIRE PROTECTION/EMS – EFFICIENCY STUDY
HDM CHANGE ORDERS
HDM MORRIS COUNTY GRANT ACCEPTANCE

DIOCESE OF PATERSON

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

PERSONNEL MATTERS (4)

DISPATCHER POSITIONS

ASSISTANT TO THE SENIOR CENTER DIRECTOR

AMEND ORDINANCE 2-2009 PERTAINING TO PART-TIME NON-UNION SALARIES

STANDING COMMITTEE, BOARD OF EDUCATION, BOROUGH

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

LITIGATION MATTERS (3)

STOP & SHOP VS. MADISON

COMBE LANDFILL SOUTH

BEHS vs. DIOCESE

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

Seconded: Ms. Baillie

Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Holden reconvened the Regular Meeting at 8 p.m. in the 3rd Floor Meeting Room of Bayley-Ellard with all members present. The Pledge of Allegiance was recited by all.

Advertised Public Hearing on 2009 Morris County Open Space Trust Fund Grant Application

R 178-2009

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION FOR FUNDING UNDER THE YEAR 2009 TO THE MORRIS COUNTY OPEN SPACE TRUST FUND FOR LAND ACQUISITION FUNDS TO PURCHASE A PORTION OF BLOCK 201, LOT 1 CONSISTING OF APPROXIMATELY 10 ACRES IN MADISON FROM ITS CURRENT OWNER ROMAN CATHOLIC DIOCESE OF PATERSON

WHEREAS, the Borough of Madison has negotiated for the purchase of approximately ten acres of real estate located at 205 Madison Avenue, known as a portion of Block 201, Lot 1 (to be known as Block 201, Lot 1.02) in the Borough of Madison and being a portion of the former Bayley-Ellard campus; and

WHEREAS, the governing body wishes to authorize the submission of an application on behalf of the Borough of Madison for funding under the year 2009 to the Morris County Open Space Trust Fund for land acquisition of approximately ten acres of real estate located at 205 Madison Avenue, known as a portion of Block 201, Lot 1 (to be known as Block 201, Lot 1.02) in the Borough of Madison and being a portion of the former Bayley-Ellard campus.

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 submit an application on behalf of the Borough of Madison for funding under the year 2009 to the Morris County Open Space Trust Fund for land acquisition of approximately ten acres of real estate located at 205 Madison Avenue, known as a portion of Block 201, Lot 1 (to be known as Block 201, Lot 1.02) in the Borough of Madison and being a portion of the former Bayley-Ellard campus, said property being currently owned by the Roman Catholic Diocese of Paterson.

Mayor Holden read the above resolution by title and invited public comment on the 2009 Morris County Open Space Trust Fund Grant Application

Dave Carver, Belleau Avenue, expressed support on behalf of the Recreation Advisory Committee for the acquisition of the Bayley-Ellard fields and, in comments, noted that it gives Madison the fields it needs.

Tom Haralampoudis, Pomeroy Road, expressed support for submission of the Open Space Trust Fund Grant Application, stating that this is a once-in-a-lifetime opportunity for the community.

Megan Haidet, Land Preservation Specialist of The Land Conservancy of New Jersey, commented that the fields would be a wonderful addition to Madison.

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

Ms. Baillie moved that Resolution R 178-2009, which Mayor Holden read by title, be finally adopted. Dr. Esposito seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

Mayor Holden declared Resolution R 178-2009 adopted and passed, and ordered the Acting Clerk to publish and post according to law.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of June 22, 2009**. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Abstain: Mr. Conley, Mrs. Vitale

Mr. Elias moved approval of the ***Executive Minutes of October 23, 2006, October 30, 2006, November 2, 2006 and November 13, 2006***. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Vitale

Nays: None

Abstain: Mrs. Tsukamoto, Dr. Esposito

Mr. Elias moved approval of the ***Executive Minutes of November 21, 2006***. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Nays: None

Abstain: Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Ms. Baillie moved approval of the ***Regular Meeting Minutes of June 22, 2009***, with the following amendments:

Page 5, 1st paragraph:

Municipal Auditor David Evans addressed proposed water and sewer connection fees in a detailed statement; Mr. Evans explained the aggregate amount of the cumulative Capital **and** debt service costs to operate each system **and were used to determine** a per user share for any new connection.

Page 6, 1st paragraph:

Mr. Evans explained the aggregate amount of the cumulative Capital **and** debt service costs to operate each system **and were used to determine** a per user share for any new connection.

Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Abstain: Mr. Conley, Mrs. Vitale

Mr. Elias moved approval of the ***Regular Meeting Minutes of October 30, 2006, November 2, 2006 and November 13, 2006***. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Vitale

Nays: None

Abstain: Mrs. Tsukamoto, Dr. Esposito

Mr. Elias moved approval of the ***Regular Meeting Minutes of November 21, 2006***. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley

Nays: None

Abstain: Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

GREETINGS TO PUBLIC

Mayor Holden made the following comments:

Employee of the Month for July is Joseph Longo of the Madison Police Department for his work researching, developing and implementing a report management system for use by members of the Police Department to view directives from outside sources as well as internal informational bulletins and procedures. He also developed policy and training procedures for the new dispatchers.

Mayor Holden announced that the Borough of Madison has been named on a Money Magazine list of the best places for the rich and single young professionals to meet. The magazine ranked Madison as No. 11 out of 100 places on the list. View the list on CNN Money.com.

Mayor Holden announced that on Wednesday, July 15, 2009, Borough Clerk Marilyn Schaefer will begin her retirement. Assemblyman Jon M. Bramnick read and presented a Resolution signed by New Jersey State Legislators to Mrs. Schaefer for her service and dedication to the Borough of Madison. Mrs. Vitale presented Mrs. Schaefer with a gift on behalf of the Mayor and Council, and expressed the gratitude of all who have had the pleasure of working with the Borough Clerk.

REPORTS OF COMMITTEES

Public Safety

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

Ms. Baillie advised that there will be a training exercise conducted by the NJ State Police, NJ Transit and the Madison Police at the Madison Train Station at rush hour on Tuesday, July 14, 2009.

Utilities

Mr. Elias, Chair of the Committee, no report.

Public Works and Engineering

Mr. Conley, Chair of the Committee, no report.

Finance and Borough Clerk

Mrs. Tsukamoto, Chair of the Committee, made the following comments:

Mrs. Tsukamoto reported that, as advertised, the Mayor and Council met with the Madison Board of Education regarding their request for monthly tax payments. After reviewing various financial schedules and analyses, and hearing opinions of the Bond Counsel for both the Borough and the Board of Education, the requested schedule was approved. Mrs. Tsukamoto also reported that the Borough is waiting for Morris County to issue the 2009 certified tax levy and tax rate. According to CFO Robert Kalafut, it is not necessary to issue estimated tax bills this year, but it may become necessary in 2010. Third quarter tax bills will be late. Residents will have twenty-five days from the tax bill mailing date in which to make payment.

Community Affairs

Dr. Esposito, Chair of the Committee, no report.

Health & Public Assistance

Mrs. Vitale, Chair of the Committee, made the following comments:

Mrs. Vitale reported that on Thursday, July 16, 2009, there will be an advertisement in the Madison Eagle reporting that on July 7th and July 8th, licensed water operators took samples that tested positive for bacteria. Any positive testing must be reported. Subsequent samples have tested negative for any bacteria. Mrs. Vitale noted that there is no need to boil water or take any other precautions.

COMMUNICATIONS AND PETITIONS - None

INVITATION FOR DISCUSSION (1 of 2)

Mayor Holden opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. The Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Eugene Zipper, Greenwood Avenue, expressed concern regarding the monthly tax payment schedule to the Board of Education. Mr. Zipper feels that the Board of Education should solve its own financial issue without distorting the financial picture of the Borough.

Sam DeMarzo, Ridgedale Avenue, noted his gratitude to Mrs. Schaefer for her kind assistance as Borough Clerk. Mr. DeMarzo asked for an explanation of ordinances for introduction, Ordinance 30-2009 and Ordinance 31-2009, regarding fees for water and sewer connections. Mr. Codey explained that the fees are for new construction on vacant property where a connection does not yet exist.

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

AGENDA DISCUSSIONS

07/13/2009-1 APPROPRIATION OF \$14,000.00 FOR PURCHASE OF COPY MACHINE FOR BOROUGH CLERK'S OFFICE

After a brief explanation by Mr. Codey, there was consensus to list Ordinance 33-2009 for introduction as recommended.

Ordinance 33-2009 is listed for introduction.

07/13/2009-2 PUBLIC EVENT SPONSORED BY THE MADISON ROTARY CLUB IN LATE JUNE 2010

Mr. Ellsworth Havens, President-Elect of the Rotary Club of Madison, addressed the Mayor and Council. He indicated that the organization is in the beginning stages of exploring the idea of a public event to raise funds. The Rotary Club discussed possibly holding the event at the "Pit" area or an area across the Exxon Drive behind Cheshire Homes. Following discussion, there was agreement to continue the discussion.

07/13/2009-3 APPROPRIATION OF \$86,190.00 FOR SCHOOL ZONE SIGNALS

There was no objection to approving the request of Borough Engineer Robert Vogel, who explained that the school blinkers are in disrepair and need to be replaced. Madison Police are in favor of blinking radar signals that catch drivers' attention. There was consensus to approve the ordinance listed for consideration.

Ordinance 34-2009 is listed for introduction.

07/13/2009-4 APPROPRIATION OF \$12,000.00 FOR DRAINAGE REPAIRS AND IMPROVEMENTS TO MUSEUM OF EARLY TRADES & CRAFTS

There was no objection to approving the request of Mr. Vogel, who noted that the Museum has had flooding in the basement for years. He proposes installing a PVS pipe system connected to the Main Street line.

Ordinance 35-2009 is listed for introduction.

07/13/2009-5 AWARD PROFESSIONAL SERVICE CONTRACT TO PENNONI ASSOCIATES FOR RIDGEDALE AVENUE SURVEY IN THE AMOUNT OF \$27,500.00

There was consensus to list on the Consent Agenda a resolution awarding the contract as recommended by Borough Engineer Robert Vogel and Administrator Ray Codey.

Resolution R 187-2009 is listed on the Consent Agenda.

07/13/2009-6 AWARD PROFESSIONAL SERVICE CONTRACT TO PENNONI ASSOCIATES FOR GREEN VILLAGE ROAD SURVEY, WATER MAIN REPLACEMENT AND ROAD IMPROVEMENT IN THE AMOUNT OF \$34,400.00

There was consensus to list on the Consent Agenda a resolution awarding the contract as recommended by Borough Engineer Robert Vogel and Administrator Ray Codey.

Resolution R 188-2009 is listed on the Consent Agenda.

07/13/2009-7 APPROPRIATION OF \$240,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR WATER MAIN REPLACEMENT ON GREEN AVE

(SHUNPIKE RD TO MIDWOOD TERR)

After a brief explanation by Mr. Vogel regarding the readiness of this project to bid, there was consensus to list Ordinance 37-2009 for introduction as recommended.

Ordinance 37-2009 is listed for introduction.

07/13/2009-8 APPROPRIATION OF \$238,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR RECONSTRUCTION OF SOUTH STREET (ENTIRE LENGTH)

After a brief explanation by Mr. Vogel, there was consensus to list Ordinance 38-2009 for introduction as recommended.

Ordinance 38-2009 is listed for introduction.

07/13/2009-9 APPROPRIATION OF \$130,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A NEW REPLACEMENT SINGLE BUCKET TRUCK

Following an explanation by Electric Utilities Superintendent Michael Piano, there was consensus to list Ordinance 39-2009 for introduction as recommended.

Ordinance 39-2009 is listed for introduction.

07/13/2009-10 APPROPRIATION OF \$75,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE OF TWO NEW TAP CHANGERS AND TWO NITROGEN SYSTEMS ON TRANSFORMER BANKS 1 & 2 AT KINGS RD SUBSTATION

After a brief explanation by Mr. Piano, there was consensus to list Ordinance 40-2009 for introduction as recommended.

Ordinance 40-2009 is listed for introduction.

07/13/2009-11 APPROPRIATION OF \$7,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE OF TWO HYDRAULIC LIFT TAILGATES FOR PICK-UP TRUCKS 136 & 137

After a brief explanation by Mr. Piano, there was consensus to list Ordinance 41-2009 for introduction as recommended.

Ordinance 41-2009 is listed for introduction.

ADVERTISED HEARINGS

The Acting Clerk made the following statement:

Ordinance 27-2009 scheduled for hearing was introduced by title and passed on first reading at a regular meeting of the Council held on May 27, 2009; the balance of the ordinances were introduced by title and passed on first reading at a Regular Meeting of the Council held on June 22, 2009; all were posted and filed according to law, and copies were made available to the general public requesting same.

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

ORDINANCE 27-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 34 OF THE BOROUGH CODE ENTITLED "POLICE DEPARTMENT" TO REORGANIZE THE COMPOSITION OF THE POLICE DEPARTMENT

The Acting Clerk noted that an amendment to Ordinance 27-2009 had been submitted and asked that the Borough Attorney advise. Mr. Mezzacca advised that the change is not a substantial change and, therefore, the scheduled hearing and adoption can proceed.

WHEREAS, the Borough Administrator has recommended that Chapter 34 of the Borough Code entitled "Police Department" be amended to reorganize the composition and staffing of the Police Department; and

WHEREAS, the Borough Council agrees with this recommendation.

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 34-1 entitled "Department established, composition" is hereby amended to read as follows:

Section 34-1 Department established, composition

The police Department of the Borough of Madison is hereby established and shall consist of a Chief of Police, and shall have one Captain, and shall have not more than two Lieutenants, not more than five Sergeants, and not more than 27 Patrol Officers, provided the full number of police officers shall not exceed 36 including the Chief of Police, and not more than two Class II special police officers as the Borough Council may from time to time appoint as requested by the Chief of Police.

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

Mayor Holden opened up the public hearing on Ordinance 27-2009. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 27-2009, which the Acting Clerk read by title, be finally adopted with amendment. Dr. Esposito seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Acting Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

ORDINANCE 28-2009

BOND ORDINANCE TO AUTHORIZE THE FUNDING OF A PORTION OF THE COST OF THE IMPROVEMENT OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY BY AND FOR THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,161,500 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

WHEREAS, the Borough of Madison, in the County of Morris, State of New Jersey, and the Borough of Chatham, in the County of Morris, State of New Jersey, jointly operate a sanitary sewerage treatment system as members of the Madison-Chatham Joint Meeting (the "Joint Meeting"), with each municipality being financially responsible for a proportionate share of the system's costs – Madison's share being 65.5% and Chatham's being 34.5%; and

WHEREAS, the Borough Council of the Borough of Madison has determined that it is necessary to authorize and provide for financing various improvements to the Molitor Water Pollution Control Facility located in the Borough of Chatham and owned and operated by the Joint Meeting; and

WHEREAS, the Borough will fund \$2,161,500 of the total estimated project costs of \$3,300,000 (with Chatham funding the \$1,138,500 balance), which costs shall include all work, materials and appurtenances necessary and suitable therefor; and

WHEREAS, the Joint Meeting has heretofore filed a loan application for the financing of allowable costs of the aforesaid project with the New Jersey Environmental Infrastructure Trust Financing Program (the "State Program"); and

WHEREAS, the Borough Council of the Borough of Madison has heretofore adopted a resolution making application to the Local Finance Board in the Division of Local Government Services of the New Jersey Department of Community Affairs for approval of the Borough's request for financing its portion of allowable costs of said project from the State Program pursuant to N.J.S.A. 58:11B-9(a), for an exemption from the down payment requirement for this bond ordinance pursuant to N.J.S.A. 40A:2-7(d) and N.J.S.A. 40A:2-11(c) and for a waiver of the maturity schedule requirement for bonds issued by the Borough pursuant to the State Program pursuant to N.J.S.A. 40A:2-26(e); NOW, THEREFORE,

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

Section 1. The Borough of Madison, in the County of Morris, State of New Jersey (the "Borough"), is hereby authorized to fund its proportionate share of the costs of various improvements to the Madison-Chatham Joint Meeting's Molitor Water Pollution Control Facility located in the Borough of Chatham consisting of: replacing the cover on primary digester No. 1; cleaning of primary digester No. 1 and the secondary digester; the installation of draft tube mixers on primary digester No. 1; demolition of the existing (currently abandoned) underground concrete digester tank; installation of an isolation valve on control chamber No. 1; the installation of a chemical feed system for phosphorous removal; replacement of the sludge piping in the digester building; and all related improvements and work, materials and appurtenances necessary and suitable therefor, all as shown on and in accordance with the

plans and specifications prepared or to be prepared by the Madison-Chatham Joint Meeting Engineer.

Section 2. The sum of \$2,161,500 is hereby appropriated to the payment of the Borough's share of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$2,161,500, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$2,161,500, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$329,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$2,161,500 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of the Borough of an aggregate principal amount not exceeding \$2,161,500 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by

the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer, who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of the Borough, and that such statement so filed shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$2,161,500 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (except any funds received as loans from the State Program, which shall be applied to the payment of the cost of such purpose or to the payment of any outstanding bond anticipation notes, but shall not reduce the amount of bonds authorized for such purpose), shall be applied to the payment of the cost of such purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 10. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 11. The Borough intends to issue bonds or notes to finance the costs of the improvements described in Section 1 of this ordinance. If the Borough or the Joint Meeting incur such costs prior to the issuance of such bonds or notes, the Borough expects to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Holden opened up the public hearing on Ordinance 28-2009. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 28-2009, which the Acting Clerk read by title, be finally adopted. Mr. Elias seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Acting Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

ORDINANCE 29-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$95,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR DODGE FIELD IMPROVEMENTS

WHEREAS, the Borough Administrator has recommended that the Borough appropriate \$95,000.00 from the General Capital Improvement Fund for Dodge Field improvements; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$95,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$95,000.00 from the General Capital Improvement Fund for Dodge Field improvements.

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

SECTION 1: The amount of \$95,000.00 is hereby appropriated from the General Capital Improvement Fund for Dodge Field improvements.

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 Holden opened up the public hearing on Ordinance 29-2009. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Conley moved that Ordinance 29-2009, which the Acting Clerk read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Acting Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

INTRODUCTION OF ORDINANCES

The Acting Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of July 27, 2009, in the 3rd Floor Meeting Room of Bayley-Ellard High School, 205 Madison Avenue off Danforth 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 Bayley-Ellard High School and be made available to members of the public requesting same, as required by law.

Mayor Holden called up ordinances for first reading and asked the Acting Clerk to read said ordinances by title:

ORDINANCE 30-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 190 OF THE MADISON BOROUGH CODE ENTITLED "WATER" TO INCLUDE WATER CONNECTION FEE

WHEREAS, the Chief Financial Officer has recommended that the Borough amend Chapter 190 of the Madison Borough Code entitled "Water" to include a water connection fee; and

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2008, and based on such study has recommended a water connection fee in the amount of \$2,700.00 for new customers during 2009; and

WHEREAS, such water connection fee is authorized by N.J.S.A. 40A:31-11 entitled "County and Municipal Water Supply".

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 190 of the Madison Borough Code, currently entitled "Connection required" is hereby amended to add a new Section 11.2 entitled "Connection fee" as follows:

§190-11.2 Connection fee

There shall be a water connection fee established in accordance with N.J.S.A. 40A:31-11 in addition to the fees for department services set

forth in Section 190-33. The water connection fee for the remainder of 2009 shall be:

- A. For single family dwelling units, \$2,700.00, and for multiple dwelling units, \$2,700.00 per unit.
- B. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 248 gallons or fraction thereof: \$2,700.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The water connection fee shall be payable in full to the Borough of Madison at the time a building water connection permit is issued for connection to the municipal water system by the Borough of Madison.

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

Mr. Elias moved that Ordinance 30-2009, which the Acting Clerk read by title, be adopted. Mr. Conley seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 31-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 155 OF THE MADISON BOROUGH CODE ENTITLED "SEWER" TO INCLUDE SEWER CONNECTION FEE

WHEREAS, the Chief Financial Officer has recommended that the Borough amend Chapter 155 of the Madison Borough Code entitled "Sewer" to include a sewer connection fee; and

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2008, and based on such study has recommended a sewer connection fee in the amount of \$4,000.00 for new customers during 2009; and

WHEREAS, such sewer connection fee is authorized by N.J.S.A. 40A:26A-11 entitled "Municipal and County Sewerage Facilities".

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 155, Section 4 of the Madison Borough Code, currently entitled "Connection expenses; responsibility for maintenance, repair and replacement of laterals" is hereby amended as follows:

§155-4 Connection fees; connection expenses; responsibility for maintenance, repair and replacement of laterals.

A. Sewer connection fees.

There shall be a basic connection fee established in accordance with N.J.S.A. 40A:26A-11. The fee for the remainder of 2009 shall be:

1. For single family dwelling units, \$4,000.00, and for multiple dwelling units, \$4,000.00 per unit.
2. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an

existing connection; where a unit equals an annual average daily flow of 265 gallons or fraction thereof: \$4,000.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The sewer connection fee is based upon the usage of a single dwelling unit or equivalent discharge. The sewer connection fee shall be payable in full to the Borough of Madison at the time a building sewer permit is issued for connection to the public sanitary sewer by the Borough of Madison.

B. Sewer connection expenses; responsibility for maintenance, repair and replacement of laterals.

1. Whenever any of the work herein provided for is done, it shall be at the expense of the owner or owners of the land in front of or upon which the same is done.
2. Such owner or owners shall also be responsible for the maintenance, repair and replacement of any lateral installed upon premises owned by him or them, or other work done in connection therewith.

Mr. Elias moved that Ordinance 31-2009, which the Acting Clerk read by title, be adopted. Mr. Conley seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 32-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$300,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO CONSTRUCT AN ELEVATOR AT THE MADISON CIVIC CENTER

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$300,000.00 from the General Capital Improvement Fund to construct an elevator at the Madison Civic Center; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement 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 General Capital Improvement Fund to construct an elevator at the Madison Civic Center.

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 General Capital Improvement Fund to construct an elevator at the Madison Civic Center.

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.

Mrs. Vitale moved that Ordinance 32-2009, which the Acting Clerk read by title, be adopted. Mr. Elias seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 33-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$14,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR BOROUGH CLERK OFFICE COPIER/SCANNER

WHEREAS, the Acting Borough Clerk has recommended that the Borough appropriate \$14,000.00 from the General Capital Improvement Fund for Borough Clerk Office copier/scanner; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$14,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$14,000.00 from the General Capital Improvement Fund for Borough Clerk Office copier/scanner.

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 \$14,000.00 is hereby appropriated from the General Capital Improvement Fund for Borough Clerk Office copier/scanner.

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.

Mrs. Tsukamoto moved that Ordinance 33-2009, which the Acting Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 34-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$86,190.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR SIGNAL

IMPROVEMENTS AT KINGS ROAD SCHOOL, CENTRAL AVENUE SCHOOL, ST. VINCENT SCHOOL AND TOREY J. SABATINI SCHOOL

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$86,190.00 from the General Capital Improvement Fund for signal improvements at Kings Road School, Central Avenue School, St. Vincent School and Torey J. Sabatini School; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$86,190.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$86,190.00 from the General Capital Improvement Fund for signal improvements at Kings Road School, Central Avenue School, St. Vincent School and Torey J. Sabatini School.

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 \$86,190.00 is hereby appropriated from the General Capital Improvement Fund for signal improvements at Kings Road School, Central Avenue School, St. Vincent School and Torey J. Sabatini School.

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. Conley moved that Ordinance 34-2009, which the Acting Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 35-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$12,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR DRAINAGE REPAIRS AND IMPROVEMENTS TO THE MUSEUM OF EARLY TRADES & CRAFTS

WHEREAS, the Borough Administrator has recommended that the Borough appropriate \$12,000.00 from the General Capital Improvement Fund for drainage repairs and improvements to the Museum of Early Trades & Crafts; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$12,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$12,000.00 from the General Capital Improvement Fund for drainage repairs and improvements to the Museum of Early Trades & Crafts.

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 \$12,000.00 is hereby appropriated from the General Capital Improvement Fund for drainage repairs and improvements to the Museum of Early Trades & Crafts.

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.

Mrs. Tsukamoto moved that Ordinance 35-2009, which the Acting Clerk read by title, be adopted. Mr. Conley seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Elias, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: Ms. Baillie

ORDINANCE 36-2009

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING ORDINANCE 2-2009
PERTAINING TO PART-TIME NON-UNION SALARIES AND OFFICES**

WHEREAS, certain changes are required in the salary ranges for non-union part-time employees;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following part-time non-union salary range is hereby amended as follows:

Title	Minimum	Maximum
Office Assistant Part-time	\$7.15/hr	\$14.56/hr

Mrs. Tsukamoto moved that Ordinance 36-2009, which the Acting Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 37-2009

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$240,000.00
FROM THE WATER CAPITAL IMPROVEMENT FUND FOR WATER MAIN
REPLACEMENT ON GREEN AVENUE (SHUNPIKE RD TO MIDWOOD TERR)**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$240,000.00 from the Water Capital Improvement Fund for water main replacement on Green Avenue (Shunpike to Midwood); and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$240,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$240,000.00 from the Water Capital Improvement Fund for water main replacement on Green Avenue (Shunpike to Midwood).

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 \$240,000.00 is hereby appropriated from the Water Capital Improvement Fund for water main replacement on Green Avenue (Shunpike to Midwood).

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. Conley moved that Ordinance 37-2009, which the Acting Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 38-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$238,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR RECONSTRUCTION OF SOUTH STREET (ENTIRE LENGTH)

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$238,000.00 from the General Capital Improvement Fund for the reconstruction of South Street; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$238,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$238,000.00 from the General Capital Improvement Fund for the reconstruction of South Street.

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 \$238,000.00 is hereby appropriated from the General Capital Improvement Fund for the reconstruction of South Street.

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. Conley moved that Ordinance 38-2009, which the Acting Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 39-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$130,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A NEW REPLACEMENT SINGLE BUCKET TRUCK

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$130,000.00 from the Electric Capital Improvement Fund for the purchase of a new replacement single bucket truck and related equipment; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$130,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$130,000.00 from the Electric Capital Improvement Fund for the purchase of a new replacement single bucket truck and related 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: The amount of \$130,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of a new replacement single bucket truck and related equipment.

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. Elias moved that Ordinance 39-2009, which the Acting Clerk read by title, be adopted. Mr. Conley seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 40-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$75,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE AND INSTALLATION OF TWO

NEW TAP CHANGERS AND TWO NITROGEN SYSTEMS ON TRANSFORMER BANKS 1 & 2
AT KINGS RD SUBSTATION

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$75,000.00 from the Electric Capital Improvement Fund for the purchase and installation of two tap changers and two nitrogen systems on transformer banks 1 and 2 at Kings Road substation; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$75,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$75,000.00 from the Electric Capital Improvement Fund for the purchase and installation of two tap changers and two nitrogen systems on transformer banks 1 and 2 at Kings Road substation.

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 \$75,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase and installation of two tap changers and two nitrogen systems on transformer banks 1 and 2 at Kings Road substation.

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. Elias moved that Ordinance 40-2009, which the Acting Clerk read by title, be adopted. Mr. Conley seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

ORDINANCE 41-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$7,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE OF TWO HYDRAULIC LIFT TAILGATES FOR PICK-UP TRUCKS 136 & 137

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$7,000.00 from the Electric Capital Improvement Fund for the purchase and installation of two hydraulic lift tailgates for pick-up trucks 136 and 137; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$7,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$7,000.00 from the Electric Capital Improvement Fund for the purchase and installation of two hydraulic lift tailgates for pick-up trucks 136 and 137.

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 \$7,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase and installation of two hydraulic lift tailgates for pick-up trucks 136 and 137.

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. Elias moved that Ordinance 41-2009, which the Acting Clerk read by title, be adopted. Mr. Conley seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

CONSENT AGENDA RESOLUTIONS

The Acting 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.

Mrs. Tsukamoto moved adoption of the Resolutions listed on the Consent Agenda. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

R 179-2009

RESOLUTION OF THE BOROUGH OF MADISON PERTAINING TO THE 2008 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled: "General Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: "General Comments and Recommendations" as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Madison, County of Morris, State of New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

R 180-2009

RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR MORRIS COUNTY 4H CLUB

WHEREAS, the 4-H Association and the Rutgers Cooperative Extension of Morris County have requested permission to put up temporary signs advertising the Morris County 4-H Fair on July 24-26, 2009, in Chester; and

WHEREAS, the signs would be located at the intersection of Shunpike Road and Loantaka Way, at the intersection of Loantaka Way and Madison Avenue, and at Main Street at the Chatham border, commencing on July 24, 2009 and removed by July 28, 2009; 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 the 4-H Association and the Rutgers Cooperative Extension of Morris County to put up temporary signs as described herein from July 14, 2009 to July 28, 2009, is approved.

R 181-2009

RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JOHN P. RAFTER TO THE POSITION OF SENIOR DISPATCHER

WHEREAS, the Chief of the Madison Police Department and the Chief of the Madison Fire Department recommend the appointment of John P. Rafter to the position of Senior Dispatcher subject to execution of an employment agreement approved by the Borough Attorney; and

WHEREAS, the Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that John P. Rafter is hereby appointed to the position of Senior Dispatcher subject to execution of an employment agreement approved by the Borough Attorney; and

BE IT FURTHER RESOLVED, that John P. Rafter be compensated at the annual salary of \$51,592.00 effective July 27, 2009.

R 182-2009

RESOLUTION OF THE BOROUGH OF MADISON APPOINTING CHRISTOPHER BURANS TO THE POSITION OF DISPATCHER

WHEREAS, the Chief of the Madison Police Department and the Chief of the Madison Fire Department recommend the appointment of Christopher Burans to the position of Dispatcher subject to execution of an employment agreement approved by the Borough Attorney; and

WHEREAS, the Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Christopher Burans is hereby appointed to the position of Dispatcher subject to execution of an employment agreement approved by the Borough Attorney; and

BE IT FURTHER RESOLVED, that Christopher Burans be compensated at the annual salary of \$40,273.00 effective August 10, 2009.

R 183-2009

RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JOSEPH MITTERMAIER TO THE POSITION OF DISPATCHER

WHEREAS, the Chief of the Madison Police Department and the Chief of the Madison Fire Department recommend the appointment of Joseph Mittermaier to the position of Dispatcher subject to execution of an employment agreement approved by the Borough Attorney; and

WHEREAS, the Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Joseph Mittermaier is hereby appointed to the position of Dispatcher subject to execution of an employment agreement approved by the Borough Attorney; and

BE IT FURTHER RESOLVED, that Joseph Mittermaier be compensated at the annual salary of \$34,614.00 effective August 24, 2009.

R 184-2009

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING FRIDAY EVENING DOWNTOWN CONCERT SERIES

WHEREAS, the Main Street Executive Director has recommended approval of the Downtown Concert Series and authorization of closing Green Village Road in front of the Museum of Early Trades & Crafts; and

WHEREAS, the concert series would take place on July 24, 2009, August 7, 2009, August 21, 2009, September 4, 2009, September 18, 2009, and October 9, 2009, with rain dates for each concert of the following Friday evening; and

WHEREAS, Green Village Road would be closed from 5:45 p.m. to 8:30 p.m. between Blue Ridge Mountain Sports and Chatham Bookseller, with access maintained to the Waverly Green parking lot; and

WHEREAS, stores located in the James Building that front on Green Village Road shall be permitted to have merchandise for sale on the sidewalk in front of their stores while the road is closed; and

WHEREAS, the Police Department has approved the event with the use of Auxiliary officers.

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 Downtown Concert Series is approved subject to the safety requirements of the Madison Police Department.

2. The Madison Police Department is authorized to close Green Village Road between Blue Ridge Mountain Sports and Chatham Bookseller from 5:45 p.m. to 8:30 p.m. on July 24, 2009, August 7, 2009, August 21, 2009, September 4, 2009, September 18, 2009, and October 9, 2009, with rain dates for each concert of the following Friday evening in conjunction with the Downtown Concert Series.

R 185-2009

RESOLUTION OF THE BOROUGH OF MADISON RESCINDING APPOINTMENT OF ASSISTANT TO SENIOR CENTER DIRECTOR

WHEREAS, Resolution 175-2009 appointed Maureen Morvey to the position of Assistant to the Senior Center Director; and

WHEREAS, the Senior Center Director has recommended that Resolution 175-2009 be rescinded; and

WHEREAS, the Mayor and Council have determined that Resolution 175-2009 should be rescinded.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Resolution 175-2009 is hereby rescinded.

R 186-2009

RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ASSISTANT TO SENIOR CENTER DIRECTOR

WHEREAS, the Senior Center Director recommends the appointment of Barbara Carkhuff to the position of Assistant to the Senior Center Director; and

WHEREAS, the Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Barbara Carkhuff is hereby appointed to the position of Assistant to the Senior Center Director upon receipt of satisfactory results of the background check; and

BE IT FURTHER RESOLVED, that Barbara Carkhuff be compensated at the hourly rate of \$14.00 per hour for fifteen (15) hours per week.

R 187-2009

RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO PENNONI ASSOCIATES, INC. FOR RIDGEDALE AVENUE SURVEY IN THE AMOUNT OF \$27,500.00

WHEREAS, the Borough Engineer has recommended that the Borough obtain professional engineering services from Pennoni Associates, Inc., for a survey of Ridgedale Avenue for water main improvements; and

WHEREAS, said services would constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Borough Engineer has determined and certified in writing that the value of this acquisition will exceed \$17,500.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the Contract to Pennoni Associates, Inc., in an amount not to exceed \$27,500.00; and

WHEREAS, Pennoni Associates, Inc., must submit to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, Pennoni Associates, Inc., must complete and submit a Business Entity Disclosure Certification which certifies that Pennoni Associates, Inc., has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit Pennoni Associates, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$27,500.00 for this purpose from the Water Operating professional services account.

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. Ten days after receipt of the Business Entity Disclosure Certification and other required documents from Pennoni Associates, Inc., the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with Pennoni Associates, Inc., for professional engineering services for a survey of Ridgedale Avenue for water main improvements in an amount not to exceed \$27,500.00, such contract to be in a form approved by the Borough Attorney.

2. When received, the Business Entity Disclosure Certification, Political Contribution Disclosure Form and the Determination of Value shall be placed on file with this resolution.

The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 188-2009

RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICE CONTRACT TO PENNONI ASSOCIATES, INC. FOR GREEN VILLAGE ROAD SURVEY, WATER MAIN REPLACEMENT AND ROAD IMPROVEMENT IN THE AMOUNT OF \$34,400.00

WHEREAS, the Borough Engineer has recommended that the Borough obtain professional engineering services from Pennoni Associates, Inc., for a survey of Green Village Road and preparation of bid specifications and plans for road reconstruction; and

WHEREAS, said services would constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Borough Engineer has determined and certified in writing that the value of this acquisition will exceed \$17,500.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the Contract to Pennoni Associates, Inc., in an amount not to exceed \$34,400.00; and

WHEREAS, Pennoni Associates, Inc., must submit to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, Pennoni Associates, Inc., must complete and submit a Business Entity Disclosure Certification which certifies that Pennoni Associates, Inc., has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit Pennoni Associates, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$34,400.00 for this purpose from the Water Operating professional services account.

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:

3. Ten days after receipt of the Business Entity Disclosure Certification and other required documents from Pennoni Associates, Inc., the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with Pennoni Associates, Inc., for professional engineering services for a survey of Green Village Road and preparation of bid specifications and plans for road reconstruction in an amount not to exceed \$34,400.00, such contract to be in a form approved by the Borough Attorney.

4. When received, the Business Entity Disclosure Certification, Political Contribution Disclosure Form and the Determination of Value shall be placed on file with this resolution.

5. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 189-2009

RESOLUTION OF THE BOROUGH OF MADISON ALLOWING RELEASE TIME FOR BOROUGH EMPLOYEES TO ATTEND A FINANCIAL LITERACY PRESENTATION

WHEREAS, the Borough Administrator has recommended that the Borough Employees be allowed release time to attend a financial literacy presentation by Provident Bank at the temporary Borough Hall at 205 Madison Avenue, Madison, New Jersey; and

WHEREAS, the presentation sessions would be staged to minimize disruption to municipal operations; and

WHEREAS, participation by employees would be voluntary;

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 the Borough Administrator has authorized to allow release time for employees to attend a financial literacy

presentation by Provident Bank at such time as the Borough Administrator deems convenient which will minimize disruption to municipal operations.

R 190-2009

RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY SHAKESPEARE THEATRE OF NEW JERSEY INC. TO CONDUCT AN OFF-PREMISE MERCHANDISE RAFFLES GAME ON SUNDAY, JANUARY 3, 2010, TO BE HELD AT THE F. M. KIRBY SHAKESPEARE THEATRE

WHEREAS, N.J.S.A. 5:8-1 et seq. and N.J.A.C. 13:47-1.1 et seq. prohibit the conducting of games of chance on Sunday unless specifically authorized by a duly adopted municipal ordinance; and

WHEREAS, on March 8, 1982, the Council of the Borough of Madison adopted Ordinance No. 5-82 to allow the Council, by resolution, to permit qualified organizations to conduct games of chance on Sunday; and

WHEREAS, the New Jersey Legalized Games of Chance Control Commission has issued Registration Identification No. 274-5-32247 to the Shakespeare Theatre of New Jersey Inc.; and

WHEREAS, an Application for Raffles License, together with all necessary documents and fees, has been submitted to the Madison Borough Clerk's Office by the Shakespeare Theatre of New Jersey Inc. to conduct an Off-Premise Merchandise Raffles Game on Sunday, January 3, 2010, at the F. M. Kirby Shakespeare Theatre, 36 Madison Avenue, Madison, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the afore-mentioned Application for Raffles License, R.A. No. 1119, to be held as listed above, be and the same is hereby approved.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Legalized Games of Chance Control Commission.

R 191-2009

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT AND RELEASE ON COMBE LANDFILL SOUTH

WHEREAS, the Borough of Madison was named a Defendant in certain litigation pending in the United States District Court for the District of New Jersey, captioned United States v. Beckman Coulter, Inc. et al., 98-CV-4812 (WHM) and New Jersey Department of Environmental Protection, et al. v. American Thermoplastic Corp., et al., 98-CV-4781 (WHM), as well as a Plaintiff in a lawsuit captioned Borough of Madison v. Commercial Union et al., pending in the Superior Court of New Jersey, Law Division, Morris County, Docket No. MRS-L-2653-08; and

WHEREAS, Madison was represented by Peter. J. King, Esq. appointed by the New Jersey Municipal Environmental Joint Insurance Fund (EJIF); and

WHEREAS, Madison sought judgment declaring coverage by Commercial Union Insurance Companies for claims at the site known as "Combe Landfill South" which was the subject of the litigation; and

WHEREAS, Mr. King recommended Madison enter into a proposed Settlement Agreement and Release in regard to all cases noted above; and

WHEREAS, pursuant to said Settlement Agreement and Release a settlement payment will be made by Commercial General Union on behalf of the Borough of Madison, and the Borough of Madison shall have no out of pocket expense among other terms of the Settlement Agreement and Release; and

WHEREAS, the Council has had an opportunity to review the proposed Settlement Agreement and Release and speak to Peter J. King, Esq. in Executive Session.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Mayor is authorized to execute and the Borough Clerk is authorized to attest to the Settlement Agreement and Release as described herein.

RESOLUTION OF THE BOROUGH OF MADISON RESCINDING RESOLUTION 50-2009 AUTHORIZING USE OF BAYLEY-ELLARD GYM FOR A CASINO NIGHT FUNDRAISER ON OCTOBER 17, 2009

WHEREAS, Resolution 50-2009 granted permission for the Thursday Morning Club to use the Bayley-Ellard Gym on Saturday, October 17, 2009, for a Casino Night fundraiser; and

WHEREAS, the Thursday Morning Club has advised the Borough that the Casino Night fundraiser has been cancelled and they will not require use of the Bayley-Ellard gym; and

WHEREAS, the Mayor and Council have determined that Resolution 50-2009 should be rescinded.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Resolution 50-2009 is hereby rescinded.

R 193-2009

RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING DONATION OF AMERICAN EAGLE FIGURE FROM THE ESTATE OF JACK GEGOWITZ

WHEREAS, the Estate of Jack Gegowitz has generously offered to donate an American Eagle figure (BOEHM) to the Madison Police Department; and

WHEREAS, the Borough Council has concluded that it would be in the best interest of the Borough to accept the donated American Eagle figure.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris in the State of New Jersey that the Borough accepts the donation of the above described American Eagle figure.

BE IT FURTHER RESOLVED that the Borough of Madison expresses its gratitude to the Estate of Jack Gegowitz.

R 194-2009

RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING 2009 MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT IN THE AMOUNT OF \$426,040.00 TO HDM PROJECT AND AUTHORIZING SIGNATURE ON GRANT AGREEMENT

WHEREAS, the Governing Body of the Borough of Madison received notice from the Morris County Board of Chosen Freeholders that the Borough has been approved for a 2009 Morris County Historic Preservation Trust Fund Grant in the amount of \$426,040.00; and

WHEREAS, the purpose of the grant is for roof restoration and exterior masonry repointing at the Hartley Dodge Memorial.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that the Governing Body does hereby accept the grant of \$426,040.00 for roof restoration and exterior masonry repointing at the Hartley Dodge Memorial.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a Grant Agreement with the Morris County Historic Preservation Trust Fund on behalf of the Borough of Madison in a form acceptable to the Borough Attorney.

INVITATION FOR DISCUSSION (2 of 2)

Mayor Holden opened the meeting to the public for their opportunity to ask questions and make comments on any subject. The Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided 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.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mrs. Tsukamoto, seconded by Ms. Baillie 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.

Public Safety	\$59,458.60
Health & Public Assistance	7,191.41
Public Works & Engineering	220,435.68
Community Affairs	9,701.48
Finance & Borough Clerk	1,777,854.99

Utilities 311,438.13

Total \$2,386,080.29

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

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley, Mrs. Tsukamoto

Dr. Esposito, Mrs. Vitale

Nays: None

NEW BUSINESS - None

ADJOURN AND RECONVENE EXECUTIVE SESSION

There being no further business to come before the Council, the meeting was adjourned at 10:00 p.m., and the Executive Session immediately reconvened in Room #320.

RECONVENE AND ADJOURN

The Regular Meeting reconvened at 11 p.m. and immediately adjourned.

Respectfully submitted,

Elizabeth Osborne

Acting Borough Clerk

Approved July 27, 2009 (EO)