

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

March 8, 2010 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 8th day of March 2010. 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 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 7, 2010. 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 Mary-Anna Holden

Council Members:

Astri J. Baillie
Robert H. Conley
Jeannie Tsukamoto
Vincent A. Esposito
Sebastian J. Cerciello
Donald R. Links

Also Present:

Raymond M. Codey, Borough Administrator
Elizabeth Osborne, Borough Clerk
Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

Three Contract Matters and one Potential Litigation Matter 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 FOR APPROVAL (1)
Executive Session Minutes of February 22, 2010

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

CONTRACT MATTERS (5)
HDM CHANGE ORDER

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LABOR NEGOTIATIONS UPDATE
BAYLEY ELLARD FIELD
MRC NEWS RELEASE
YMCA

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

PERSONNEL MATTERS (1)
WORK AT HOME POLICY

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

POTENTIAL LITIGATION MATTERS (1)
VACATE BARNSDALE ROAD

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.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of February 22, 2010**. Mrs. Tsukamoto seconded the motion, which passed by the following roll call vote:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of February 22, 2010**.

Page 14 of 18 R 67-2010 recorded vote

..... Yeas: Ms. Baillie, Mrs. Tsukamoto, Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None
Abstain: Mr. Conley

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

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

GREETINGS TO PUBLIC

Mayor Holden made the following comments:

Employee of the Month for March is **Jim Burnet, Main Street Executive Director**, for initiating and implementing a number of community events to stimulate activity in the commercial business district, such as bringing the Farmers' Market downtown and revitalizing the Thursday evening extended hours program for

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merchant shopping. He has pursued federal funding for a parking garage adjacent to the Madison Train Station and is currently organizing the First Annual Green Fair.

Anniversary – **Adrienne Tawil** of the **Madison Public Library** will celebrate her 25th anniversary on March 18, 2010.

Mayor Holden announced that Borough Attorney Joseph Mezzacca has been designated by his colleagues as preeminent in his field with a listing in the 2010 Bar Register of Preeminent Lawyers by Martindale-Hubbell's guide to the most distinguished law firms in America.

REPORTS OF COMMITTEES

Community Affairs

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

The Madison Chamber of Commerce will sponsor an Easter Fun Fest on Saturday, March 27th, from 11:00 a.m. until 12:30 p.m. The Easter Bunny will visit throughout the business district, and businesses are encouraged to participate by handing out candy to the children that will be provided by the Chamber.

Finance and Borough Clerk

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

The Mayor and Council will meet on March 11, 2010, in the Chase Room at the Madison Public Library for a Capital Budget work session to begin at 6:30 p.m. All residents are encouraged to attend this important meeting.

Public Safety

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

The Madison Fire Department assisted with a rescue at a traffic accident involving two automobiles and a van at the corner of Park Avenue and Danforth Road on March 3rd and on March 5th quickly extinguished an apartment fire on Madison Avenue. No injuries were involved, but the property did sustain some damage. The New Jersey State League of Municipalities has issued an advisory reminding residents that on March 14th when we set our clocks ahead, to check the batteries of smoke and carbon monoxide detectors and also to develop a disaster plan including a kit of supplies.

Utilities

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

Public Works and Engineering

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

Many compliments have been received regarding the fine job the Department of Public Works has done with snow removal. On Thursday, March 4th, the Mayor and Council met to continue budget work, including the Engineering Department budget, and hopefully, in the future, in-house personnel will be utilized instead of outside consultants. Also Mr. Mezzacca will continue to update construction ordinances to make the process easier for residents.

Health & Public Assistance

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

The February Adult Health Screening event was postponed due to the weather and is now scheduled for Thursday, March 18, 2010, 8:00-10:00 a.m. All who wish to attend must pre-register by calling 973-593-3079x1. Please visit gov.rosenet.org for more information.

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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.**

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

AGENDA DISCUSSIONS

03/08/2010-1 REVISE ORDINANCE SETTING POLICY ON UNDERGROUND ELECTRIC SERVICE

Mr. Conley explained that currently the Electric Department will repair any overhead service for no charge for the first 100 feet. Residents with underground service are responsible for underground repairs. In an effort to treat all customers equally, it is recommended that Ordinance 9-2010 be introduced to allow for a one-time reimbursement to residential customers up to \$800.00 and also to establish a budget of \$2,400.00 annually to cover three underground repairs per year. There was consensus to approve the recommendation to list Ordinance 9-2010 for introduction later in the meeting.

ADVERTISED HEARINGS - None

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

The ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of March 22, 2010, 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 ordinance 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 Ordinance 9-2010 for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 9-2010

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CH. 94 OF THE BOROUGH CODE SETTING POLICY ON UNDERGROUND ELECTRIC SERVICE

WHEREAS, the Borough Administrator has recommended that the Electric Utility Rules and Regulations be amended to provide for reimbursement to residential customers with underground service for repairs; and

WHEREAS, the Borough Council has determined that there is a need to approve such amendment.

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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 94, Appendix C of the Borough Code entitled “Electric Utility Department Rules And Regulations” shall be amended as follows:

SECTION 1:

§2.14 All underground service ducts and conductors will be installed, owned, and maintained at the owner’s expense. All existing underground ducts and cable that run from the Borough’s manholes or vaults to the customer’s premises will be upgraded, replaced or repaired at the owner’s expense. In the event that a residential underground service must be repaired, the customer shall be reimbursed for one time only, a fixed amount of \$800.00. No one shall enter any manhole, hand hole, or vault without being accompanied by an Electric Department employee.

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

Mr. Conley moved that Ordinance 9-2010, which the Borough Clerk read by title, be 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. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

Mrs. Tsukamoto moved adoption of Resolutions R 70-2010 through R 74-2010 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 for Resolutions R 70-2010 through R 74-2010 recorded:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

R 70-2010 RESOLUTION OF THE BOROUGH OF MADISON URGING THE NEW JERSEY STATE LEGISLATURE TO REFORM INTEREST ARBITRATION

WHEREAS, the interest arbitration process was intended to fairly and adequately give all due consideration to the interest and welfare of the taxpaying public and support local government aims by arriving at award decisions that are

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equitable to all involved parties, including municipalities and Police and Fire Department personnel; and

WHEREAS, the New Jersey Employer-Employee Relations Act, adopted in 1968, was amended in 1977 to provide for interest arbitration as the statutorily imposed terminal step in the collective bargaining process for police and fire personnel as defined by the Act; and

WHEREAS, the Police and Fire Interest Arbitration Reform Act (L.1995, c. 425) was signed into law by Governor Christine Todd Whitman and became effective on January 10, 1996; and

WHEREAS, in 2005, the League of Municipalities' Arbitration Reform Committee suggested a number of Legislative reforms to the Interest Arbitration Process among the changes proposed by the Reform Committee were that: (1) the Arbitrator may not award salary increases in excess of the expenditure cap (N.J.S.A. 40A:4-45 et seq.); (2) the Arbitrator's Award may provide for salary increases limited to the budget cap imposed by the State of New Jersey and/or any lawful adjustment adopted by the public employer; and (3) the Arbitrator's award may provide for salary increases limited to the percentage established by the State or the lawful adjustment adopted by the public employer, as may be appropriate, on a department line basis; and

WHEREAS, in 2007 the Police and Fire Interest Arbitration statute was amended to add a new ninth factor of the 4% Tax Levy Cap which resulted in 4 of the 9 statutory factors in Interest Arbitration addresses the employer's fiscal situation; and

WHEREAS, municipalities are bound by strict fiscal controls embodied in the expenditure limit and tax levy caps and it is the norm rather than the exception for state approved arbitrators to award raises for police salaries at rates that exceed the annual caps; and

WHEREAS, binding arbitration awards in excess of the caps force municipalities to cut other critically needed municipal services, in order to fund salary increases, compounded by pension increases, to police and fire personnel, and cost for police and fire services continue to spiral at an unacceptable rate; and

WHEREAS, the state approved interest binding arbitration process is inconsistent with the State cap laws and is unfair to municipalities attempting to control property taxes through fiscal responsibility; and

WHEREAS, interest arbitration should be reformed to provide that the cost of living and the employer's ability to pay should be given greater weight and the total costs of the arbitrator's award, including step increases and cost of living (COLA) increases, should not exceed the cost of living; and

WHEREAS, arbitrators should be required to evaluate and analyze the total cost of the salaries and benefits, including step increases, and must provide a detailed line item analysis and explanation of the costs in the award; and

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WHEREAS, arbitrators must also evaluate and analyze the overall compensation received by the bargaining unit, including vacations, longevity, holidays, excused leave, medical and pension benefits; and

WHEREAS, arbitrators should be required to live in New Jersey and the process of selecting the arbitrators and the length of time the Arbitration process takes needs to be reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey hereby urges the New Jersey State Legislature to pass legislation containing substantial reforms to the binding arbitration process; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator Thomas H. Kean Jr., Assemblyman Jon M. Bramnick, Assemblywoman Nancy F. Munoz, the New Jersey State League of Municipalities and the Office of the Governor.

R 71-2010 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING MEMBERSHIP OF SEAN M. NOREK IN THE MADISON HOOK & LADDER COMPANY, INC.

WHEREAS, the Acting Fire Chief has advised that Sean M. Norek was voted into the Madison Hook & Ladder Company, Inc. as a volunteer firefighter; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Sean M. Norek is hereby confirmed as a member of the Madison Hook & Ladder Company, Inc. effective immediately.

R 72-2010 RESOLUTION OF THE BOROUGH OF MADISON AFFIRMING A CIVIL RIGHTS POLICY

WHEREAS, it is the policy of the Borough of Madison to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Madison has determined that certain procedures need to be established to accomplish this policy

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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 as follows:

Section 1: No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Purchasing/Personnel Officer shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to

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periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Purchasing/Personnel Officer shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Purchasing/Personnel Officer shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

R 73-2010 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY THURSDAY MORNING CLUB

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:

THURSDAY MORNING CLUB

I.D. No. 274-8-12803

R.A. No. 1145 – On Premise

R.A. No. 1146 – On Premise

May 22, 2010

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

R 74-2010 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATIONS TO AMEND RAFFLES LICENSES NO. 1141 AND NO. 1142 SUBMITTED BY PTO LIBERTY CORNER SCHOOL TO CHANGE THE DRAWING DATE AND HOURS

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BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Applications to Amend Raffles Licenses No. 1141 and No. 1142 submitted by PTO Liberty Corner School, I.D. No. 253-5-36403, are hereby approved for the purpose of changing the date and hours, due to inclement weather, as follows:

To: March 27, 2010, 2:30 – 4:30 p.m.

From: February 6, 2010, 12 Noon – 2 p.m.

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

There was no Council discussion, and the motion passed with the following roll call vote for Resolution R 75-2010 recorded:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto, Dr. Esposito, Mr. Links

Nays: Mr. Cerciello

R 75-2010 RESOLUTION OF THE BOROUGH OF MADISON APPROVING CHANGE ORDER #7 FOR THE HDM PROJECT

WHEREAS, a contract for the rehabilitation of the Hartley Dodge Memorial, in an amount not to exceed \$6,317,000 was awarded to Merrell & Garaguso, Inc., by Resolution 124-2009; and

WHEREAS, Change Orders #1, #2, #3, #4, #5 and #6 have previously been approved for a total additional amount of \$377,754.00; and

WHEREAS, the Borough Administrator has recommended approval of a Change Order #7 to the contract for the following: add pull box on electric service, re-plaster Gallery north wall, relocate piping for new water meter, install new water connection to modified irrigation system, and attic ductwork relocation, in an additional amount of \$43,999.00 bringing the contract total to \$6,738,753.00; and

WHEREAS, the Director of Finance has attested to the availability of funds in an amount not to exceed \$43,999.00 for this purpose, which funds were appropriated by Ordinance 58-2008.

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 change order request from Merrell & Garaguso, Inc., in the total amount not to exceed \$43,999.00 for the rehabilitation of the Hartley Dodge Memorial is authorized.

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There was no Council discussion, and the motion passed with the following roll call vote for Resolution R 76-2010 recorded:

Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links

Nays: None

R 76-2010 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING THE DETAILS OF THE SALE OF THE TRUST LOAN GENERAL IMPROVEMENT BONDS, SERIES 2010, IN THE PRINCIPAL AMOUNT OF \$400,000 OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, NEW JERSEY, TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST PURSUANT TO THE 2010 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Madison (the "Local Unit"), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project which consists of the improvement of the Madison-Chatham Joint Meeting's Molitor Water Pollution Control Facility (the "Project"), as further defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and among the Local Unit, the Madison-Chatham Joint Meeting (the "Owner") and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement") entered into by and among the Local Unit, the Owner and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2010 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, the Local Unit has previously sold its bonds to the State to evidence the Fund Loan;

WHEREAS, to evidence the Trust Loan, the Trust requires the Local Unit to authorize, execute, attest and deliver the Local Unit's Trust Loan General Improvement Bonds, Series 2010, to the Trust in a principal amount not to exceed \$580,000 (the "Trust Loan Bond") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes Annotated (the "Local Bond Law"), other applicable law, the Trust Loan Agreement and the Escrow Agreement dated January 21, 2010 (the "Escrow

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Agreement") by and among the Trust, the State, the Local Unit, the Owner and the escrow agent named therein;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a) allow for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in accordance with the terms of the Escrow Agreement, the Trust has sold its bonds to fund the Trust Loan, thereby enabling the Local Unit to confirm the exact principal amount of and debt service schedule for the Trust Loan Bond;

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the Borough Council of the Local Unit as follows:

Section 1. The sale of the Trust Loan Bond to the Trust at a price of par is hereby confirmed. The Trust Loan Bond shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the principal loan amount, date, interest rates and maturity schedule as set forth in Schedule A attached hereto and made a part hereof.

Section 2. This resolution shall take effect immediately.

Section 3. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to the Local Unit's Bond Counsel and to Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

There was no Council discussion, and the motion passed with the following roll call vote for Resolution R 77-2010 recorded:

Yeas: Ms. Baillie, Mrs. Tsukamoto, Dr. Esposito, Mr. Cerciello, Mr. Links

Nays: None

Abstain: Mr. Conley

R 77-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AGREEMENT WITH MADISON AREA YMCA IN REGARD TO CONDUCTING A TEEN PROGRAM FOR LOCAL YOUTHS

WHEREAS, the Borough Administrator has recommended closing the Madison Teen Center and providing services to teens by alternative means; and

WHEREAS, the Madison Area YMCA has proposed providing services through its established teen program as set forth in a letter dated February 22, 2010, to Raymond Codey, Borough Administrator; and

WHEREAS, the agreement between the Borough of Madison and the Madison Area YMCA shall indicate that no equipment, furniture or other items

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purchased by the Teen Center non-profit entity shall be transferred from the Teen Center to the YMCA without the mutual consent of the Borough of Madison and the Madison Teen Center non-profit entity; and

WHEREAS, the proposed cost for the services to be provided is \$29,900.00; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$29,900.00 for the payment of such services from Ordinance 58-2008.

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 an agreement between the Madison Area YMCA and the Borough of Madison for providing the services described herein in a form approved by 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.**

Don Brunner, Redmond Drive, asked for clarification of Resolution R 76-2010, which Mr. Codey explained authorizes sale of the trust loan general improvement bonds in the amount of \$400,000 for the 2010 New Jersey Environmental Infrastructure Trust Financing Program for improvements to the Madison-Chatham Joint Meeting. Mr. Brunner also inquired about the opening of the Teen Center at the YMCA.

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	\$18,264.93
Health & Public Assistance	1,567.48
Public Works & Engineering	186,704.14
Community Affairs	3,294.51
Finance & Borough Clerk	3,181,252.03
Utilities	<u>25,399.57</u>
Total	<u>\$3,416,482.66</u>

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

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Yeas: Ms. Baillie, Mr. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

NEW BUSINESS

Mayor Holden announced the following appointment:
Carmela Vitale, Planning Board, Class IV Regular member, unexpired term through December 31, 2012

ADJOURN AND RECONVENE EXECUTIVE SESSION

There being no further business to come before the Council, the meeting was adjourned at 8:35 p.m. and the Executive Session immediately reconvened.

RECONVENE AND ADJOURN

The Regular Meeting reconvened at 9:10 p.m. and immediately adjourned.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved March 22, 2010 (EO)