

REORGANIZATION MEETING MINUTES
January 1, 2010 at 12 o'clock Noon

Call to Order

Mayor Holden called the Reorganization Meeting to Order at 12 Noon in the 3rd Floor Meeting Room of Bayley-Ellard High School, Room #320.

The Borough Clerk read the Open Public Meetings Act Statement

"In compliance with the Open Public Meeting Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Daily Record, posting a copy of the notice on the bulletin board at the main entrance to Borough Hall located at Bayley-Ellard and filing a copy in the office of the Borough Clerk, all on December 24, 2009. Copies of that notice were made available to members of the general public

Roll Call by Borough Clerk

The 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

Dr. Vincent A. Esposito

Sebastian J. Cerciello

Invocation

Mayor Holden invited Rabbi Shalom Lubin, Chabad of South East Morris County in Madison, forward for the Invocation. Rabbi Lubin greeted everyone by wishing all a "Happy New Year" and reflecting on ways to celebrate the New Year and projecting hope forward. Rabbi Lubin asked for peace in the coming year.

Presentation of Colors, Pledge of Allegiance, National Anthem

Everyone rose for the Presentation of Colors by American Legion Frank Patterson Post No. 43; all covered their hearts and were lead in the recitation of the Pledge of Allegiance.

Mayor Holden acknowledged World War II Veteran David Squibb, who sang the National Anthem, after which the Colors were retired.

Oath of Office

The Oath of re-elected Council Member Vincent A. Esposito was administered by Borough Attorney Joseph Mezzacca, Jr., after which Dr. Esposito resumed his place at the Council table.

The Oath of newly-elected Council Member Donald R. Links was administered by Borough Attorney Joseph Mezzacca, Jr., after which Mr. Links resumed his seat in the audience with his family.

Presentations of Medallions for Distinguished Service

Mayor Holden commented that Medallions are presented to volunteers for their Distinguished Service to the Borough for five years or more and who are no longer serving. As each name and position was announced, there was a round of applause. Mayor Holden invited the recipient present, Mark Sheeleigh, to step forward to receive his Medallion.

Dr. Louis DeBiase
Board of Health
2001 - 2009

Anthony Mazza
DDC
2004 – 2009

Barry Kroll
DDC
2004 - 2009

Mark Sheeleigh
Library Trustee
2004 – 2009

Presentation of Mayoral Award

Mayor Holden called forward James Brueckner and his family members to present the Mayoral Award in recognition of an outstanding volunteer. Mayor Holden noted Mr. Brueckner's participation in the Madison baseball program, constructing baseball and softball fields at the Madison Junior School, improving the Junior Varsity field at Madison High School and helping with the Bayley-Ellard fields. He has offered his expertise and passion on many projects. Mayor Holden presented Mr. Brueckner with a baseball signed by Council Members and Assemblywoman Nancy F. Munoz. Mr. Brueckner thanked the Mayor and Council for this recognition and dedicated the award to his mother.

Recognition of Visiting Dignitaries

Mayor Holden recognized some of the visitors at the meeting, calling out their names; each was recognized with a round of applause: Morris County Deputy Freeholder Director William J. Chegwidden and Assemblywoman Nancy F. Munoz, who was asked to step forward to make a presentation:

Assemblywoman Munoz congratulated the newly sworn in Council Members and presented a joint Proclamation from the New Jersey State Senate and Assembly to outgoing Councilwoman Carmela Vitale and Councilman John M. Elias, to thank them for their outstanding service as members of the Council of the Borough of Madison.

Proclamation for Outgoing Council Member

Mayor Holden read and presented a Proclamation in honor of outgoing Council Member John M. Elias:

JOHN M. ELIAS

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Whereas, John M. Elias has served the Borough of Madison as Council Member from January 1, 2004 through December 31, 2009, during which time he served as Council President from January 1, 2007 through December 31, 2007; and

Whereas, during his term of office Councilman Elias served as Chair and Co-Chair of:

**Community Affairs, Chair – 2005 and 2006
Finance and Borough Clerk, Co-Chair – 2006, 2007 and 2008
Health & Public Assistance, Co-Chair – 2005 and 2009
Joint Meeting - Operating, Vice-Chair – 2009
Joint Meeting - Finance, Chair – 2007
Property Maintenance Emergency Committee, Chair – 2004 and 2005
Public Safety, Chair – 2004
Public Works and Engineering, Chair – 2008
Public Works and Engineering, Co-Chair – 2007
Utilities Standing Committee, Chair – 2009**

Whereas, Councilman Elias has served on the following Boards and Commissions:

**Chamber of Commerce, Council Representative – 2006
DDC, Liaison – 2005 and 2006
Electric Utility Study Committee – 2009
Hartley Dodge Memorial Space Utilization Ad Hoc Committee – 2008
Historic Preservation Commission, Liaison – 2008
Madison Community Pool, Liaison – 2005, 2006 and 2009
Museum of Early Trades & Crafts, Liaison – 2004
Parks Advisory Committee, Liaison – 2008
Project Community Pride – 2004
Recreation Advisory Committee, Liaison – 2005 and 2006
Senior Citizens Advisory Committee, Liaison – 2005 and 2006
Shade Tree Management Board, Liaison – 2008
Ten Towns, Liaison – 2009
Whippany River Watershed Action Committee, Liaison – 2009**

Whereas, Councilman Elias had the pleasure and privilege of serving with two mayors, Ellwood R. Kerkeslager and Mary-Anna Holden, and ten Council Members, Mary-Anna Holden, Astri Baillie, Donald Bowen, Carmela Vitale, Sam “Jiggs” Mantone, Robert Conley, Jeannie Tsukamoto, Vincent Esposito, Dan Dunham and Sam Cerciello, all of whom he wishes to thank for their commitment, dedication, leadership and inspiration; and

Whereas, Councilman Elias, having also had the pleasure and privilege of serving with the department heads and other employees of the Borough of Madison, as well as the volunteers from the community, all of whom have demonstrated an extraordinary commitment to our community and its constituents, to whom he also extends his thanks and gratitude; and

Whereas, Councilman Elias provided strong non-partisan financial leadership to ensure the Borough of Madison’s continued recognition as one of the safest credit risks in the State of New Jersey, if not the United States; and

Whereas, Councilman Elias has also provided strong non-partisan leadership in securing the property now known as the Madison Recreation Complex.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Madison, in the County of Morris and State of New Jersey, wishes to express its gratitude and appreciation to

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Councilman John M. Elias for his dedicated service and commitment to Madison. His professionalism will be greatly missed. We, the Mayor and Members of Council, have enjoyed the privilege of working with him and extend our best wishes to him and his family in all future endeavors.

Mary-Anna Holden, Mayor

Astri J. Baillie, Council Member

Robert H. Conley, Council Member

Jeannie Tsukamoto, Council President

Vincent A. Esposito, Council Member

Sam Cerciello, Council Member

January 1, 2010

There was a long round of applause in Mr. Elias' honor.

Presentation of Gifts

Mayor Holden presented Mr. Elias with gifts from the Mayor and Council—a pewter box engraved with the Hartley Dodge Memorial and a Council chair engraved with Mr. Elias' name and years of service as Council Member. Mr. Elias thanked all and expressed his thoughts and best wishes to the citizens of Madison.

Placement of Name Plaques

Administrator Raymond M. Codey placed the name plaques at their new positions at the Council table, and each member took his/her seat along with newly elected Council Member Donald R. Links, who took his seat at the Council table for the first time with family and friends present in the audience to share this moment.

Roll Call by Borough Clerk

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

Dr. Vincent A. Esposito

Sebastian J. Cerciello

Donald R. Links

Election of Council President

Dr. Esposito nominated and moved the appointment of Jeannie Tsukamoto as Council President.

Mr. Links seconded the motion, which passed with the following roll call vote recorded:

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

Nays: Ms. Baillie, Mr. Conley

Adoption of Council Bylaws for 2010

Mrs. Tsukamoto moved that the existing Bylaws be adopted as the Bylaws of the Governing Body of the Borough of Madison for the year 2010. Ms. Baillie 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

Mayor's Announcement of Council Standing Committees for the Year 2010

STANDING COMMITTEE

CHAIR/OTHER MEMBER

Finance and Borough Clerk

Robert H. Conley/Astri J. Baillie

Public Safety

Jeannie Tsukamoto/Dr. Vincent A. Esposito

Public Works and Engineering

Sam Cerciello/Jeannie Tsukamoto

Utilities

Dr. Vincent A. Esposito/Donald Links

Health & Public Assistance

Donald Links/Sam Cerciello

Community Affairs

Astri J. Baillie/Robert H. Conley

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie 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

Mayor's Message to the Citizens of Madison

Ambitions run high this year despite financial constraints similar to those of 75 years ago.

Notwithstanding 1935's Great Depression, community leadership nurtured vision, clarity of direction and civic generosity. Thus, marked progress in Madison history was made.

Big changes were in store for the struggling nation and our borough in 1935, as they are now.

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Locally, Mayor Allan H. Brown and his Council worked to balance a budget with unknown federal and state welfare-relief mandates. However, he vowed that no citizen would go hungry or without shelter.

Today, this mayor faces her own balancing act as the Council is faced with a State-mandated \$250,000 pension contribution increase; a \$300,000 healthcare cost increase; and is forced to no longer subsidize the cost to purchase power from its dwindling surplus – one that once fed the Borough operating budget to lower taxes. Last November's delay in the much-needed electric rate increase has only reddened this utility's bottom line. I congratulate those who courageously shunned political gamesmanship and realistically supported this still-needed rate increase.

As this may seem an added burden to our residents, the Borough will proactively help residents and merchants meet their electric and water utility obligations with payment plans, and seek legislation and technology to allow power to be priced by peak and off-peak usage. The good news is that as of today, the State is opening a rebate program to communities with a municipally owned electric utility to encourage purchases of energy-efficient appliances, such as washers and dryers. Also, we are only the second of these same-type communities to be allowed participation in the NJSHARE program whereby residents in distress may apply for up to \$700 in assistance with heating and electric bills. Program information will be included with Borough utility bills.

In 2010, the Borough will work in a new paradigm enabling the Council to finance and follow through on long, long-discussed projects, and to permit making the most of the many talents and offers of citizen volunteers, just as Madisonians united to help one another 75 years ago.

Mrs. Marcellus Hartley Dodge, for her part, handed over the keys to an \$800,000 new borough hall on Decoration Day 1935. Twice between 1933 and 1935 her project employed more than 100 local residents in excavation, steel working, millwork, masonry, and more.

Similarly, on Memorial Day of this year, we will re-dedicate the Hartley Dodge Memorial Building in a re-enactment of its dedication.

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2010 will mark the end of other long, drawn-out projects. The 1999 grant-funded train station landscape planting is complete, and now work may begin to rebuild Lincoln Place's infrastructure, and have it assume its rightful place as the historic downtown's gateway.

The nine-years-promised Civic Center elevator installation will be completed by March, increasing functionality and programming possibilities for this public space.

We will develop and dedicate Northern New Jersey's finest sports facility at the 49 acres and adjoining high school acreage, with opening play slated for early Fall. Initial development will include three multi-purpose, artificial turf fields and one tournament-sized, standalone baseball/softball field. Funding will stem from an alliance among the Board of Education, the Borough of Madison and the Madison Athletic Foundation, with the all-volunteer, charitable Madison Athletic Foundation as lead agency for fundraising and the help of the Open Space, Recreation and Historic Preservation Fund volunteers for grants seeking and writing.

I charge the Recreation Advisory Committee and our Director of Technology, Jim Sanderson, with seeking out and implementing easily accessible, online, facilities scheduling and sports registration before summer. Asset management is a priority. Paper and pencil, and the perennial "we've-always-done-it-that-way" attitude are no longer acceptable for organizing playing time or fields maintenance.

Natural turf fields will continue to improve with gratitude to the initiative of volunteer talent assuming capital projects that supplement the Department of Public Works workforce. They hearken to the federal Civilian Conservation Corps, or CCC, created by President Franklin D. Roosevelt in 1933 in what was an infrastructures employment opportunity that expanded into the Works Progress Administration of 1935 (perhaps the dawn of America's greatest creative period). Borrowing from Roosevelt's 1935 model, I call for the creation of a Madison Civilian Community Corps. Ours, however, will be a volunteer-based drive rather than an employment opportunity.

It is a call to mobilize community talent to lend a hand to one another, to complete long-discussed tasks; to take ownership of projects; and to save taxpayer dollars. Maybe your talent is clearing brush; bagging leaves; shoveling snow; sprucing up the downtown; resume writing for an out-of-work neighbor; plotting a path to note flora and fauna; fields maintenance; video programming; pond and stream clearing; writing; or creating picnic grounds. Madison needs you.

By example, May Day has gained strength in numbers with over 900 participants last year. It's just the right mix and catalyst for our Madison CCC.

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Let's expand May Day to a Green Fair weekend emphasizing ways to go "green," save "green" and all while taking steps to sustain your own quality of life over the long term. I envision exhibitors for energy savings; recycling; composting; green cleaning products; solar, geothermal, rain and green-roof technologies; local food production and gardens planning; Mayor's Wellness Campaign demonstrations for walking, biking and senior fitness; and maybe even a return of last year's beloved Dodgeball tournament with the traditional May Day work and Arbor Day festivities.

Clearly one other item borrowed from the WPA would be to muster writers and photographers to update, from 1980 to the present, the book, Madison, the Heritage Trail. Another would be the return of the downtown Art Show, emphasizing local artists and craftspeople. Certainly music and theatre were a large part of the WPA and Main Street Executive Director, Jim Burnet, I know will seek to return the popular entertainment series along with the Farmers' Market to Madison business venues in the downtown and the East End.

Let us pool our individual talents for the greater good of Madison.

Sherwood Anderson in his book Home Town captures the essence of American small town values, versus a city's, 75 years ago in a series of essays, and illustrates an intimacy of small town life. He suggests that those values that united a community to overcome the Depression are permanent and immutable, and are what makes human life possible and worthwhile. "Man is his brother's keeper, but only in the towns is he willing to accept that responsibility, a responsibility that makes human life endurable."

Let us in 2010 renew our special sense of community and break the confines of the current Great Recession with volunteerism and stewardship for our fellow Madisonians.

---*Mary-Anna Holden, Mayor*

There was a round of applause honoring Mayor Holden.

Appointment of Borough Officials

Mayor Holden nominated and appointed the following named persons to serve in the following official capacities, subject to Council confirmation:

John Theese, Acting Housing Officer (Annual Appointment)
Frank Russo, Zoning Officer (Annual Appointment)
Daniel Buckelew, Deputy Zoning Officer (Annual Appointment)
Robert Kalafut, Treasurer (Annual Appointment)

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

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

Mayor Holden appointed Members of Boards not subject to Council confirmation:

(1) **ENVIRONMENTAL COMMISSION**

Three-year term through December 31, 2012
James Greene, Regular

Two-year term through December 31, 2011
Karen Koster, Alt. #1

One-year term through December 31, 2010
James Greene, Chair
Sebastian J. Cerciello, Council Liaison

(2) **HISTORIC PRESERVATION COMMISSION**

Four-year term through December 31, 2013
John Solu, Class C Regular

Two-year term through December 31, 2011
Ronald A. Poeter, Alt. #2

One-year term through December 31, 2010
Sebastian J. Cerciello, Council Liaison

(3) **PLANNING BOARD**

Three-year term through December 31, 2012
Judy Mullins, Class IV
Gregory Reed, Class IV

One-year term through December 31, 2010
John Forte, Class II, Official of the Borough other than Governing Body

Council Liaison to the Planning Board is appointed by Council

Mrs. Tsukamoto moved the appointment of Astri J. Baillie, Council Liaison, Class III, to the Planning Board for a one-year term through December 31, 2010. Mr. Conley 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

Announcement of Appointments to Special Positions Requiring Council Confirmation

Mayor Holden announced the Mayor's appointments of the following individuals requiring Council confirmation, all for a one-year term through December 31, 2010:

- (1) **BOARD OF EDUCATION**
Donald Links, Council Liaison
- (2) **CHAMBER OF COMMERCE**
Astri Baillie, Council Liaison
- (3) **HISTORIAN**
Laurence G. Taber
- (4) **HOUSING AUTHORITY**
Robert H. Conley, Council Liaison
- (5) **JOINT MEETING COUNCIL REPRESENTATIVES**
Robert H. Conley – Finance Vice-Chair
Vincent A. Esposito – Operating Chair
- (6) **MUSEUM OF EARLY TRADES & CRAFTS**
Jeannie Tsukamoto, Council Liaison
- (7) **PASSAIC VALLEY GROUNDWATER PROTECTION COMMITTEE**
Daniel Kelly
- (8) **PROJECT COMMUNITY PRIDE**
Jeannie Tsukamoto, Council Liaison
- (9) **TEN TOWNS**
William Hutchinson, Permanent Voting Member
Roy J. Redmond, Alternate
Ben Wolkowitz, Alternate
- (10) **WHIPPANY RIVER WATERSHED ACTION COMMITTEE**
Jeannie Tsukamoto, Council Liaison
- (11) **MADISON COMMUNITY POOL**
Robert H. Conley, Council Liaison

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie 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

Appointment of Members of Boards and Committees Subject to Council Confirmation
Mayor Holden requested that Ms. Baillie announce the Mayor's appointments of the following individuals requiring Council confirmation:

- (1) **BOARD OF HEALTH**
Four-year term through December 31, 2013

Susan DiGiacomo, Regular
Sharon Harris, Regular
John Hoover, Regular

Unexpired One-year term through December 31, 2010
James Brueckner, Alt. #1

Unexpired Two-year term through December 31, 2011
Robert Landrigan, Alt. #2

One-year term through December 31, 2010
Donald Links, Council Liaison

(2) **DOWNTOWN DEVELOPMENT COMMISSION**

Three-year term through December 31, 2012
Peter R. Flemming, Sr., Planning Board Rep. (DDC Public Official)
Carla Brady, Non-Profit Representative
James Burnet, Ex-Officio
Elyce Bavos, Merchant/Landlord/Business Owner
Craig Erezuma, At Large
Thomas Gortych, Giralda Farms Representative
Garry Herzog, Media Representative
Wayne Lajewski, Merchant/Landlord/Business Owner
Donald Mennella, Senior Citizens Representative
Lissa Weldon, At Large
Stephen Whitehorn, Merchant/Landlord/Business Owner
Marsha Ann Zimmerman, Chamber of Commerce Rep.

One-year term through December 31, 2010
Astri J. Baillie, Council Liaison (DDC Public Official)

(3) **ELECTRIC UTILITY STUDY COMMITTEE**

One-year term through December 31, 2010
Michael L. Bugg
Raymond M. Codey
Paul Heitmann
Robert F. Kalafut
Anthony Occhino
Susanne Patenaude
Michael Piano
Ronald A. Poeter
Alan Sawyer
Herbert C. Worthington
Vincent A. Esposito, Council Liaison

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

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

Mayor Holden requested that Mr. Conley announce the Mayor's appointments of the following individuals requiring Council confirmation:

- (1) **LIBRARY TRUSTEES**
Four-year term through December 31, 2013
Steven Coppola, Trustee

Five-year term through December 31, 2014
Mary Beth Forte, Trustee
- (2) **LOCAL ASSISTANCE BOARD**
Four-year term through December 31, 2013
Ruth Russell

One-year term through December 31, 2010
Donald Links, Council Liaison
- (3) **LOCAL EMERGENCY PLANNING COUNCIL FOR 2010**
Administrator
Borough Engineer
Construction Official
Electric Utility Superintendent
Fire Chief
Health Officer
Mayor
Superintendent of Public Works
Welfare Director
American Red Cross Representative **Barb Chestnut**
Auxiliary Police **John Granato**
Board of Education Representative **John Connolly**
Council Member **Jeannie Tsukamoto**
Madison Eagle **Garry Herzog**
MCJM (Sewer), Superintendent
Medical Representative **John Dalena, M.D.**
OEM Coordinator/MVAC **Robert Landrigan**
OEM Deputy Coordinator **Lt. Darren Dachisen**
OEM Asst. Dep. Coordinator **Patrolman James Cavezza**
Pharmacist **Frank Iannarone**
Public Information Officer **Joseph Longo**
R.A.C.E.S. **Lee Storm**
School Resource Officer **Wayne Reed**
Secretary **Kristy Manion**

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie 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

Mayor Holden requested that Mrs. Tsukamoto announce the Mayor's appointments of the following individuals requiring Council confirmation:

(1) **MADISON ALLIANCE AGAINST SUBSTANCE ABUSE**

Three-year term through December 31, 2012
Susan Behrens, Parent Outreach
Vivian Gil, Asst. Teen Center Director
Libby Shesler, Madison Jr. School Rep.
Sera Craig, Madison HS PTO Rep.
Frank Iannarone, At Large
Audra Toner, Drew University Rep.
Christine Shesler, Health Educator – Mayor's Rep.
Tim Van Woert, YMCA Rep.

One-year term through December 31, 2010
Donald Links, Council Liaison

(2) **OPEN SPACE, RECREATION AND HISTORIC PRESERVATION ADVISORY COMMITTEE**

Three-year term through December 31, 2012
Chris Kellogg, Madison Resident (#3 of 4)

Two-year term through December 31, 2011
Matt Spelker, Madison Resident (#4 of 4)

One-year term through December 31, 2010
Peter R. Flemming, Sr., Planning Board Representative
Katie McCulloch, Environmental Commission Rep.
Ronald Poeter, Historic Preservation Commission Rep.
Martin Horn, Recreation Committee Chair
Cathie Coultas, Parks Advisory Commission
Mayor Mary-Anna Holden, Ex-Officio
Astri J. Baillie, Council Liaison and Planning Board Rep.

(3) **PARKS ADVISORY COMMITTEE**

One-year term through December 31, 2010
Paul Allocco, Chair
Cathie Coultas, Secretary
Phil DeBiase
Mimi Brooks
James Brueckner
Christopher Holland
Frank Moore
Daniel Seidel

Geoffrey Thomas
Lois Wolkowitz
Diane Zsombik
Sebastian J. Cerciello, Council Liaison

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie 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

Mayor Holden requested that Mrs. Tsukamoto announce the Mayor's appointments of the following individuals requiring Council confirmation:

(1) **PATRIOTIC CELEBRATIONS COMMITTEE**

One-year term through December 31, 2010

Lew Cornine
Mark DeBiasse
Peter R. Flemming, Sr., Chair
Thomas J. Granato
Wayne Henderson
Richard Holden
James Kemp
Roger Kramp
Sam Mantone
Joseph Paoella
Patrick Sherwood
Sebastian J. Cerciello, Council Liaison

(2) **PROPERTY MAINTENANCE EMERGENCY COMMITTEE**

One-year term through December 31, 2010

Construction Code Official
Health Officer
BOH President Board of Health Member (1 of 2 required)
BOH Vice President, Board of Health Member (2 of 2 required)
Jeannie Tsukamoto, Council Member and Chair
Donald Links, Council Liaison

(3) **RECREATION ADVISORY COMMITTEE**

One-year term through December 31, 2010

Harvey Allen, Community Pool Rep.
Dan Baulig
Sue Bessin
Robert Boyle
Andy Buteaux
Ernest Cicconi
Nino Coviello

Paul DiGiacomo
Chuck Ellis
Martin Horn, Chair
George Martin, Board of Education Rep.
Dorina Martirano
Bill Mulcahy
Nick Spagnoletti
Mark Sweeney
Andrea Waresk
Douglas Smith, Ex-Officio, Recreation Director
Astri J. Baillie, Council Liaison

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie 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

Mayor Holden requested that Mr. Links announce the Mayor's appointments of the following individuals requiring Council confirmation:

- (1) **SAFETY COMMITTEE**
One-year term through December 31, 2010
Borough Administrator
Borough Engineer
Chief Financial Officer
Electric Utility Superintendent
Fire Chief
Health Officer
Madison-Chatham Joint Meeting Superintendent
Police Chief
Purchasing/Personnel Officer
Recreation Director/Recycling Coordinator
Superintendent of Public Works
Jeannie Tsukamoto, Council Liaison

- (2) **SENIOR CITIZENS ADVISORY COMMITTEE**
One-year term through December 31, 2010
Carrie Thompson, MPL Rep.
Nancy Blank, At Large
Kaye Shaler, Telephone Reassurance
Sandra Fielo, Stay Healthy Program
Edna Ierley-Byrne, Senior Citizen Coordinator
Mara Johnson, Rotary Rep.
Natalie Vetrini, YMCA Rep.
Kay Leary, Thursday Morning Club Rep.
Bill List, Income Tax Preparation
Ruth Barrett, AARP Rep.

Donald Mennella, Discussion Group Rep. and DDC Rep.
Florence Rice, Madison Health Department
Ruth Hammann, Friends of the Madison Senior Center Rep.
Nora Stewart, Friends of the Madison Senior Center Rep.
Hester Wharton, Rexford S. Tucker Apartments Rep.
Astri Baillie, Council Liaison

(3) **SHADE TREE MANAGEMENT BOARD**

Five-year term through December 31, 2014

Nancy Bruce, Regular
Michael Kopas, Regular
Stephen Miller, Regular

One-year term through December 31, 2010

Sebastian J. Cerciello, Council Liaison

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie 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

Mayor Holden requested that Mr. Cerciello announce the Mayor's appointments of the following individuals requiring Council confirmation:

(1) **VETERANS AFFAIRS COORDINATORS**

Jerome Holzman
Diane Jenkins
Joe Natale
Nicholas Sapio
Nicholas Sena
Peter Siciliano
Sebastian J. Cerciello, Council Liaison

(2) **ZONING BOARD OF ADJUSTMENT**

Four-year term through December 31, 2013

Toni DeRosa, Regular
Nancy Northrup, Regular

Two-year term through December 31, 2011

Joseph Santoro, Alt. #1

Two-year unexpired term through December 31, 2010

Michael Lami, Alt. #2

Mrs. Tsukamoto moved confirmation of the foregoing appointments. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

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

Communications - None

Mayor Holden recognized student volunteer Joyce Wu and thanked her for her work in the Borough Clerk's office as well as in the office of the Main Street Executive.

Invitation for Discussion

Mayor Holden opened the meeting to the public and asked if anyone wished to be heard. Since no member of the public wished to be heard, the invitation for discussion was closed.

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 approval of the Consent Agenda consisting of Resolutions R 1-2010 through R 29-2010. 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. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

R 1-2010 RESOLUTION OF THE BOROUGH OF MADISON ESTABLISHING ANNUAL SCHEDULE OF MEETINGS FOR 2010 AND OTHER REQUIREMENTS PURSUANT TO THE OPEN PUBLIC MEETINGS ACT

WHEREAS, N.J.S.A. 10:4-18 of the Open Public Meetings Act provides that within seven (7) days following the annual Reorganization Meeting of a public body, such public body shall adopt, post and distribute a schedule of its regular meetings for the coming year.

WHEREAS, said schedule shall contain the location of each meeting to the extent it is known and the time and date of each meeting; and

WHEREAS, the Borough of Madison does seek to establish such schedule for the year 2010;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Annual Schedule of Meetings designated in the attached notice is approved.

R 2-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR 2010

WHEREAS, the Borough of Madison has a need to obtain the following Professional Services as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator of the Borough of Madison has determined that the value of certain Professional Services listed herein may exceed \$17,500; and

WHEREAS, the anticipated term of said contracts is one year and may be extended as approved by this governing body; and

WHEREAS, each Professional Services provider has submitted a proposal in December 2009 indicating each will provide the services for the fee as described herein; and

WHEREAS, each Professional Services provider has completed and submitted a Business Entity Disclosure Certification where required by N.J.S.A. 19:44A-1, et seq., which certifies that said provider has not made any reportable contributions to a political or candidate committee in the Borough of Madison, County of Morris, State of New Jersey in the previous one year, and that the contract will prohibit said Professional Services provider from making any reportable contributions through the term of the contract, and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified as to the availability of funds for each contract.

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

1. The Mayor is hereby authorized to execute contracts for each of the professional services listed herein, the cost of each such professional service agreement not to exceed the amount certified by the Chief Financial Officer.

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

3. The resolution and contracts are on file and available for public inspection in the office of the Municipal Clerk during regular business hours Monday through Friday.

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Animal Control Officer	St. Hubert's Giralda	\$29,000; Emergency calls \$150.00 as set forth in the contract
Appraisal Services	Certified Valuations, Inc	\$120/hr; \$900/Court Appearance
Auditor	Nisivoccia & Company LLP	\$46,400 as set forth in the contract
Bond Counsel	Rogut McCarthy Troy LLC	Base Fee \$2,500 <u>et seq.</u> , as set forth in contract
Borough Attorney	Joseph Mezzacca, Jr., Esq.	\$10,000 monthly retainer/ \$150/hr. for litigation and tax appeals
Codification Supplementation & Maintenance	General Code Publishers	\$8,210 <u>et seq.</u> As set forth in the contract
Consulting Engineers	Omland Engineering Associates, Inc	\$75/hr to \$140/hr <u>et seq.</u> , as set forth in the contract
Electrical Contractors	JBL Electric Inc.	\$97.23 - \$119.67/hr <u>et seq.</u>
Electrical Engineering Consultant	Crane Associates, Inc.	\$75/hr - \$155/hr <u>et seq.</u> as set forth in the contract
Field Inspector for Tax Assessor's Office	John J. Murray	\$50/hr
Infrastructure Consultant Engineer	T&M Associates	\$46/hr - \$149/hr <u>et seq.</u> as set forth in the contract
Labor Counsel	Scarinci, Hollenbeck, LLC (Matt Giacobbe, Esq.)	\$130/hr
Legal Counsel for Municipal Electric Utility	Kirk H. Betts, Esq.	\$70/hr - \$300/hr <u>et seq.</u> as set forth in the contract
Open Space Advisor	The Land Conservancy of New Jersey	Up to \$2,500/yr
Public Defender	Robert A. Warmington, Esq.	\$85/hr Madison for an individual case; \$90/hr for plea night administrative sessions

BE IT FURTHER RESOLVED that each Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.

R 3-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING TAX COLLECTOR TO EXAMINE RECORDS FOR UNPAID MUNICIPAL LIENS

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that in accordance with N.J.S.A. 54:5-II, the Tax Collector and the Deputy Tax Collector, bonded officials of this municipality, be and are hereby appointed to make examination of records as to unpaid municipal liens and certify the result thereof.

R 4-2010 RESOLUTION OF THE BOROUGH OF MADISON DESIGNATING ELIZABETH CRESCIBENE AS PURCHASING OFFICER

BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that **Purchasing/Personnel Officer Elizabeth Crescibene** be designated Purchasing Officer for 2010 and is hereby authorized to sign all Purchase Orders upon issuance.

BE IT FURTHER RESOLVED that in the absence of Ms. Crescibene, **Administrator Raymond M. Codey** be given the designation of Purchasing Officer.

R 5-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING INDIVIDUALS TO MAKE OFFICIAL SEARCHES AS TO FUTURE ASSESSMENTS

BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey that **Borough Engineer Robert Vogel** is hereby appointed and empowered to make official searches as to Municipal Improvements authorized by ordinances for future assessments that will be made pursuant to such ordinances, as authorized by N.J.S.A. 54:5-18.1 et seq.; and

BE IT FURTHER RESOLVED that in the absence of the Borough Engineer, **Borough Clerk Elizabeth Osborne** is hereby appointed to make such searches; and

BE IT FURTHER RESOLVED that the fee to be charged shall be in accordance with N.J.S.A. 54:5-18.4 et seq.

R 6-2010 RESOLUTION OF THE BOROUGH OF MADISON DESIGNATING OFFICIAL NEWSPAPERS OF THE BOROUGH OF MADISON FOR PUBLICATION OF LEGAL NOTICES

WHEREAS, a municipality must designate an official newspaper for the publication of legal notices; and

WHEREAS, the Borough of Madison wishes to designate **THE MADISON EAGLE** and/or **THE DAILY RECORD** as its official newspapers for the publication of legal notices for the year 2010;

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 MADISON EAGLE**, 155 Main Street, Madison, New Jersey 07940, and/or **THE DAILY RECORD**, 6 Century Drive, Parsippany, New Jersey 07054, are hereby designated as official newspapers of the Borough of Madison for the year 2010 for the purpose of publishing legal notices of the municipality.

R 7-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SIGNATURES FOR PURCHASE ORDER REQUISITIONS

BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that the persons listed below be and are hereby appointed to sign requisitions for Purchase Orders for the various Borough Departments:

DEPARTMENTS

GENERAL GOVERNMENT

100 General Administration
102 Municipal Support Services
103 Elections
104 Downtown Development Commission
105 Human Resources
110 Mayor & Council
120 Borough Clerk
130 Financial Administration
135 Auditor
145 Revenue Administration
150 Assessment of Taxes
155 Legal Services
165 Engineering
175 Historic Preservation
180 Planning Board
185 Zoning Board
186 Environmental Commission
210 Liability Insurance
215 Workers Comp. Insurance
220 Health Insurance
310 Public Buildings & Grounds
361 Civic Center

PUBLIC SAFETY

AUTHORIZE APPROVALS

Administrator or Executive Assistant
PPO or Administrator
Borough Clerk or Administrator
Administrator
PPO or Administrator
Borough Clerk or Administrator
Borough Clerk or Administrator
CFO or Chief Accountant
CFO or Chief Accountant
CFO or Chief Accountant
CFO or Tax Assessor
Administrator
Engineer or Administrator
Engineer or Administrative Official
Engineer or Administrative Official
Engineer or Administrative Official
Engineer or Administrative Official
CFO or Administrator
CFO or Administrator
CFO or Administrator
Superintendent of PW or Administrator
Superintendent of PW or Administrator

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195 State Uniform Construction Code	Construction Code Official or Engineer
240 Police	Police Chief or Acting Police Chief
241 First Aid Organization	Police Chief or Acting Police Chief
252 Emergency Management Services	Police Chief or Acting Police Chief
253 Project Community Pride	Police Chief or Acting Police Chief
265 Fire	Fire Chief or Fire Subcode Official
267 Fire Safety Program	Fire Chief or Fire Subcode Official
275 Municipal Prosecutor	Court Administrator or Administrator
490 Municipal Court	Court Administrator or Administrator
495 Public Defender	Court Administrator or Administrator
STREETS & ROADS	
300 Public Works	Superintendent of PW or Administrator
302 Parks	Superintendent of PW or Administrator
303 Shade Tree Authority	Superintendent of PW or Administrator
315 Vehicle Maintenance	Superintendent of PW or Administrator
316 Vehicle Maintenance-Police	Police Chief or Acting Police Chief
317 Vehicle Maintenance-Fire	Fire Chief or Fire Subcode Official
SANITATION	
455 Sewerage Processing	CFO or Chief Accountant
456 Madison/Chatham Joint Meeting	CFO or Chief Accountant
457 Sewer Line Maintenance	Superintendent of PW or Administrator
465 Garbage & Trash Removal	Superintendent of PW or Recycling Coordinator
HEALTH & WELFARE	
330 Board of Health	Health Officer or Administrative Officer
340 Dog Regulation	Health Officer or Board Secretary
345 Admin. of Public Assistance	Welfare Director or Administrator
360 Aid to Child Care Center	Health Officer or Board Secretary
RECREATION & EDUCATION	
370 Recreation & Playgrounds	Recreation Director or Administrator
371 Celebration of Public Events	Recreation Director or Administrator
372 Teen Center	Teen Center Director or Recreation Director
390 Free Public Library	CFO or Administrator
391 Technology	Library Director
392 Museum of Early Trades	Administrator or CFO
393 Senior Citizens Programs	Senior Citizen Coordinator or Administrator
UNCLASSIFIED, DEFERRED CHARGES & STATUTORY EXPENDITURES	
470 Contingent	Administrator
471 Public Employees' Retirement System	CFO or Financial Assistant I
472 Social Security System	CFO or Financial Assistant I
474 Consolidated Police & Firemen's Pen Fd	CFO or Financial Assistant I
475 Police & Firemen's Retirement System	CFO or Financial Assistant I
870 Emergency Authorizations	CFO or Chief Accountant
900 Capital Improvement Fund	CFO or Administrator
920 Principal on Bonds	CFO or Chief Accountant
925 Principal on Notes	CFO or Chief Accountant
930 Interest on Bonds	CFO or Chief Accountant
935 Interest on Notes	CFO or Chief Accountant
950 Interest on Loan	CFO or Chief Accountant
955 Principal on Loan	CFO or Chief Accountant
UTILITY EXPENSE - BULK PURCHASES	
430 Electricity-HDM	Superintendent of PW or Administrator

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431 Electricity-Community House	Superintendent of PW or Administrator
432 Electricity-DPW/Sewers	Superintendent of PW or Administrator
433 Electricity-Health	Health Officer or Administrative Officer
434 Electricity-Police	Police Chief or Acting Police Chief
440 Telephone	PPO or Administrator
445 Water	Superintendent of PW or Administrator
446 Natural Gas	Superintendent of PW or Administrator
460 Gasoline	Superintendent of PW or Administrator
PUBLIC UTILITIES	
05-500 Water Utility Administration	CFO or Utility Collector
05-501 Water Utility Operations	Superintendent of PW or Engineer
05-502 Water Capital Improvement Fund	CFO or Administrator
05-503 Water Municipal Debt Service	CFO or Chief Accountant
05-504 Public Employees' Retirement System	CFO or Financial Assistant I
05-505 Water Social Security System	CFO or Financial Assistant I
09-500 Electric Utility Administration	CFO or Utility Collector
09-501 RoseNet	Administrator or Director of Technology
09-502 Electric Utility Operations	Electric Utility Superintendent or Administrator
09-503 Electric Capital Improvement Fund	CFO or Administrator
09-504 Public Employees' Retirement System	CFO or Financial Assistant I
09-505 Social Security System	CFO or Financial Assistant I
STATE GRANTS	
242 Body Armor Grant	Police Chief or Acting Police Chief
243 Walk Safety Program	Police Chief or Acting Police Chief
700 Alcohol Education Grant	Court Administrator or Administrator
701 Drunk Driving Enforcement	Police Chief or Acting Police Chief
702 Cops In Shops	Police Chief or Acting Police Chief
703 Clean Communities Act	PPO or Administrator
704 MAASA Grant	Health Educator or Administrator
705 Priority Health Funding Act	CFO or Financial Assistant I

BE IT FURTHER RESOLVED that the Administrator, is hereby authorized to approve requisitions for Purchase Orders for all Borough Departments; and

BE IT FURTHER RESOLVED that the Receiving Certificates on material or services received be signed by a responsible person receiving same or by the Department Head.

R 8-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SIGNATURES ON BOROUGH CHECKS

BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that the following Borough Officials are hereby authorized to sign checks or withdrawal slips where a combination of three principal signatures are required:

MAYOR

AND BOROUGH CLERK or DEPUTY BOROUGH CLERK

AND CHIEF FINANCIAL OFFICER

BE IT FURTHER RESOLVED that signature cards with the signatures of the persons authorized to sign be forwarded to all Borough Depositories.

R 9-2010 RESOLUTION OF THE BOROUGH OF MADISON DESIGNATING BANKS FOR BOROUGH FUNDS

BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that the following Commercial Banks be and hereby are designated as depositories for all Borough Funds during 2010:

Bank of America
Provident Savings Bank
J.P. Morgan Chase
PNC Bank
Somerset Hills Bank
Union Center National Bank
Valley National Bank
Wachovia Bank
Hilltop Community Bank
Investor Savings Bank

R 10-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CANCELLATION OF TAX OVERPAYMENTS AND UNDERPAYMENTS OF \$10.00 OR LESS TO GENERAL SURPLUS

WHEREAS, the refunding of tax overpayments of Ten Dollars (\$10.00) or less and the collection of tax underpayments of Ten Dollars (\$10.00) or less would impose administrative burdens out of proportion to the benefit thus given;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that tax overpayments and underpayments of Ten Dollars (\$10.00) or less be credited or debited to General Surplus.

R 11-2010 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING 2010 TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES PURSUANT TO N.J.S.A. 40:4-19

WHEREAS, 40A:4-19 Local Budget Act, provides that temporary appropriations be made in the amounts required where contracts, commitments or payments must be made prior to the final adoption of the 2010 budget; and

WHEREAS, the date of this resolution is within the first thirty days of 2010; and

WHEREAS, the total appropriations in the 2009 Budget, less appropriations made for capital improvement fund, debt service and relief of the poor (public assistance) are as follows:

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CURRENT	\$22,386,752.33
WATER UTILITY	\$1,731,741.00
ELECTRIC UTILITY	\$19,372,830.00

WHEREAS, 26.25 percent of the total appropriations in the 2009 Budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in the said 2009 Budget is as follows:

MUNICIPAL	\$5,876,522.48
WATER UTILITY	\$454,582.01
ELECTRIC UTILITY	\$5,085,367.88

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following temporary appropriations be made, and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

GENERAL ADMINISTRATION & HUMAN RESOURCES	
Salary & Wages	\$100,000.00
Other Expenses	\$15,000.00
MUNICIPAL SUPPORT	
Other Expenses	\$22,000.00
BOROUGH CLERK	
Salary & Wages	\$25,000.00
Other Expenses	\$10,000.00
FINANCIAL ADMINISTRATION	
Salary & Wages	\$40,000.00
Other Expenses	\$7,000.00
MAYOR AND BOROUGH COUNCIL	
Salary & Wages	\$25,000.00
Other Expenses	\$6,000.00
MAIN STREET EXECUTIVE DIRECTOR	
Salary & Wages	\$15,000.00
ASSESSMENT OF TAXES	
Salary & Wages	\$30,000.00
Other Expenses	\$10,000.00
REVENUE ADMINISTRATION	
Salary & Wages	\$40,000.00
Other Expenses	\$10,000.00
LEGAL SERVICES	
Other Expenses	\$40,000.00
MUNICIPAL COURT	
Salary & Wages	\$35,000.00
Other Expenses	\$9,000.00
PUBLIC BUILDINGS & GROUNDS	

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Salary & Wages	\$30,000.00
Other Expenses	\$36,000.00
PLANNING BOARD	
Salary & Wages	\$15,000.00
Other Expenses	\$20,000.00
ZONING BOARD	
Salary & Wages	\$7,000.00
Other Expenses	\$15,000.00
ENGINEERING	
Salary & Wages	\$60,000.00
Other Expenses	\$20,000.00
ENVIRONMENTAL COMMISSION	
Other Expenses	\$500.00
INSURANCE	
Group Health Insurance	\$540,000.00
Liability	\$220,000.00
Workers Compensation	\$170,000.00
FIRE DEPARTMENT	
Salary & Wages	\$325,000.00
Other Expenses	\$30,000.00
FIRE SAFETY PROGRAM	
Salary & Wages	\$25,000.00
Other Expenses	\$1,000.00
POLICE DEPARTMENT	
Salary & Wages	\$900,000.00
Other Expenses	\$150,000.00
CONSTRUCTION CODE	
Salary & Wages	\$60,000.00
Other Expenses	\$10,000.00
EMERGENCY MANAGEMENT SERVICES	\$2,000.00
COMMUNITY PRIDE	
Salary & Wages	\$30,000.00
Other Expenses	\$3,000.00
PUBLIC WORKS	
Salary & Wages	\$485,000.00
Other Expenses	\$60,000.00
SEWER LINE MAINTENANCE	
Salary & Wages	\$75,000.00
Other Expenses	\$10,000.00
SHADE TREE MANAGEMENT BOARD	
Other Expenses	\$30,000.00
GARBAGE & TRASH REMOVAL	
Other Expenses	\$480,000.00
VEHICLE MAINTENANCE	
Salary & Wages	\$55,000.00
Other Expenses	\$22,000.00
MADISON-CHATHAM JOINT MEETING	

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Other Expenses	\$306,000.00
HEALTH DEPARTMENT	
Salary & Wages	\$150,000.00
Other Expenses	\$65,000.00
DOG REGULATION	
Other Expenses	\$5,000.00
ADMINISTRATION OF PUBLIC ASSISTANCE	
Salary & Wages	\$10,000.00
Other Expenses	\$2,000.00
CIVIC CENTER	
Other Expenses	\$20,000.00
PARKS & RECREATION	
Salary & Wages	\$15,000.00
Other Expenses	\$10,000.00
TEEN CENTER	
Salary & Wages	\$4,000.00
Other Expenses	\$2,500.00
MAINTENANCE OF FREE PUBLIC LIBRARY	
Other Expenses	\$325,000.00
UTILITY EXPENSES	
Other Expenses	\$90,000.00
SENIOR CITIZENS PROGRAM	
Salary & Wages	\$15,000.00
Other Expenses	\$4,000.00
CONTINGENCY	
Other Expenses	\$2,522.48
PENSION	\$400,000.00
SOCIAL SECURITY	\$125,000.00
SUBTOTAL	\$5,876,522.48
Capital Improvement	\$800,000.00
TOTAL	\$6,676,522.48

WATER UTILITY

Salary & Wages	\$150,000.00
Other Expenses	\$293,082.01
Social Security System	\$11,500.00
SUBTOTAL	\$454,582.01
Capital Improvement	\$400,000.00
TOTAL	\$854,582.01

ELECTRIC UTILITY

Salary & Wages	\$350,000.00
Other Expenses	\$4,708,592.88
Social Security System	\$26,775.00
SUBTOTAL	\$5,085,367.88
Capital Improvement	\$300,000.00
TOTAL	\$5,385,367.88

R 12-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTICIPATION IN SOUTHEAST MORRIS PROJECT COMMUNITY PRIDE FOR 2010

WHEREAS, the Borough Administrator has recommended that the Borough continue its participation in the community service program known as Southeast Morris Project Community Pride ("Project Community Pride"); and

WHEREAS, the Borough Council has reviewed the attached Project Community Pride Participation Agreement which authorizes the Borough's participation;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey that the Borough Administrator is hereby authorized to execute on behalf of the Borough the Project Community Pride Participation Agreement for 2010 attached hereto.

R 13-2010 RESOLUTION OF THE BOROUGH OF MADISON SETTING INTEREST RATES ON DELINQUENT TAXES

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that, in accordance with N.J.S.A. 54:4-67, the interest to be charged on delinquent taxes in the Borough of Madison shall be 8% on the first \$1,500.00 of delinquency, and on any amount in excess of \$1,500.00, the interest rate to be charged shall be 18% until all of the delinquency has been removed and the property restored to current status.

BE IT FURTHER RESOLVED that an additional 6% end-of-year penalty be applied to delinquent taxes, interest and other municipal charges exceeding \$10,000.00.

R 14-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE ESTABLISHMENT OF PETTY CASH FUNDS FOR USE BY BOROUGH CUSTODIANS

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WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and

WHEREAS, it is the desire of the Borough of Madison in the County of Morris, New Jersey, to establish such a fund for the following department custodians in the indicated amounts:

Elizabeth Osborne Borough Clerk	\$1,000.00
Edna Ierley-Byrne Senior Citizen Coordinator	\$1,000.00
John Trevena Chief of Police	\$ 500.00
Michael Piano Electric Utility Superintendent	\$ 200.00
Linda Durney Welfare Director	\$ 250.00
David Maines Superintendent of Public Works	\$ 200.00
David Maines Water Utility	\$ 200.00
Brigitte Kelly Project Pride	\$ 100.00
Russell Brown Construction Code Official	\$ 100.00

WHEREAS, all custodians are bonded by a blanket bond pursuant to N.J.S.A. 40A:5-34.1; and

WHEREAS, each custodian shall maintain records for his or her fund in a manner conducive to proper accounting and auditing procedures.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Madison in the County of Morris and State of New Jersey hereby authorizes the establishment of Petty Cash Funds as described herein, and that two copies of this resolution be filed with the Division of Local Government Services in the New Jersey Department of Community Affairs for approval.

**R 15-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING
COMMISSIONERS TO MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that **ROBERT F. KALAFUT** is hereby appointed as the Borough's Risk Manager, Commissioner and Safety Delegate to the Morris County Municipal Joint Insurance Fund.

BE IT FURTHER RESOLVED that **ELIZABETH CRESCIBENE** is hereby appointed as the Borough's Alternate Commissioner to the Morris County Municipal Joint Insurance Fund.

R 16-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SIGNATURES ON ADMINISTRATIVE CERTIFICATES

BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris, and State of New Jersey, that the Chief Financial Officer is hereby designated to certify to the validity and propriety of all requests for payment of services on Administrative Certificates and to sign such certifications as required by N.J.S.A. 40A:5-16(b).

R 17-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING INVESTMENT OF IDLE FUNDS AND WIRE TRANSFERS

WHEREAS, it is desirable that idle funds of the Borough be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer Borough funds for the purpose of meeting current Borough expenses or for the purpose of effecting investments;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Chief Financial Officer and the Confidential Assistant to the CFO and Personnel Officer are hereby authorized to request bids and to place orders for the investment of idle Borough funds solely in legally authorized investment vehicles, such investments to be confirmed in writing by the investing institution; and

BE IT FURTHER RESOLVED that the above named individuals are hereby authorized to transfer funds by wire solely for the purposes and subject to all pertinent regulations:

1. To or from Borough of Madison Checking or Savings Accounts to other Borough Accounts.
2. To or from Borough of Madison Checking or Savings Accounts, to or from Accounts specified by banks, solely for the purpose of investing for the account of the Borough.

R 18-2010 RESOLUTION OF THE BOROUGH OF MADISON DESIGNATING ELIZABETH CRESCIBENE AS PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, the State of New Jersey Division of Public Contracts Equal Employment Opportunity Compliance requires that each public agency

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annually designate an officer or employee to serve as its Public Agency Compliance Officer (hereafter "P.A.C.O.") by January 10th; and

WHEREAS, the Borough Council has determined that the duties of the P.A.C.O. can be effectively and appropriately performed by the Purchasing/Personnel Officer Elizabeth Crescibene.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Purchasing/Personnel Officer Elizabeth Crescibene is hereby designated as the Public Agency Compliance Officer (P.A.C.O.) for the Borough of Madison in accordance with the provisions of N.J.A.C. 17:27-3.2.

BE IT FURTHER RESOLVED that in the absence of the Purchasing/Personnel Officer Elizabeth Crescibene, the Borough Administrator Raymond M. Codey will assume the duties of the Public Agency Compliance Officer.

R 19-2010 RESOLUTION OF THE BOROUGH OF MADISON APPROVING CASH MANAGEMENT PLAN FOR THE YEAR 2010

WHEREAS, N.J.S.A. 40A:5-14 provides that each municipality shall adopt a cash management plan annually by majority vote of the governing body; and

WHEREAS, the Chief Financial Officer recommends adoption of the Cash Management Plan attached hereto.

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 Cash Management Plan of the Borough of Madison is approved in the form attached hereto for the year 2010.

R 20-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING SCHOOL CROSSING GUARDS FOR 2010

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following school crossing guards are hereby appointed for the year 2010:

ANTONIO ALLOCCA
JOSEPH AMATO
WILLIAM BORIE
RAYMOND L. BROWNE
JANET M. BRUNS
THEODORE R. BRUNS

DIANE B. JENKINS
MARGARET M. LOSAPIO
LOUIS A. MANTONE
MARY MARANO
RONALD J. O'BRIEN
CATHERINE PENDOLINO

FRANCES CARUSO
ANDREW COBB
TERESA CROSS
GIUSEPPE D'VINO
JOHN J. ESPOSITO
MIROSLAV HADVAB

CONCETTA M. PERILLO
MARIO RATTROVO
MARY SALERNO
JANET TEDESCO
JUANITA VANRYZIN
AGNES R. YULIANO

R 21-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE COLLECTOR OF TAXES TO CONDUCT THE ANNUAL SALE OF DELINQUENT TAXES FOR THE CALENDAR YEAR 2010

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Collector of Taxes for the Borough of Madison is hereby authorized to conduct the annual sale of delinquent taxes for the calendar year 2010.

R 22-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACT FOR THE POSITION OF BOROUGH PROSECUTOR FOR 2010

WHEREAS, the Borough of Madison has a need to obtain the Professional Services of James M. DeMarzo, Esq., Prosecutor, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Administrator of the Borough of Madison has determined that the value of the professional services may exceed \$17,500; and

WHEREAS, the anticipated term of the contract is one year and may be extended as approved by this governing body; and

WHEREAS, said Professional Services provider has submitted a proposal in December 2009 indicating a willingness to provide the services for the annual fee of \$20,000.00 plus a litigation rate of \$90.00 per hour as described in the contract; and

WHEREAS, said Professional Services provider has completed and submitted a Business Entity Disclosure Certification which certifies that said provider has not made any reportable contributions to a political or candidate committee in the Borough of Madison, County of Morris, State of New Jersey in the previous one year, and that the contract will prohibit said Professional Services provider from making any reportable contributions through the term of the contract, and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified as to the availability of funds for said contract.

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

1. The Mayor is hereby authorized to execute a contract for the professional services of James M. DeMarzo, Esq., as Prosecutor, the cost of such professional service agreement not to exceed the amount certified by the Chief Financial Officer.
2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.
3. The resolution and contract are on file and available for public inspection in the office of the Municipal Clerk during regular business hours Monday through Friday.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.

R 23-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ALTERNATE MUNICIPAL PROSECUTORS FOR THE YEAR 2010

WHEREAS, the Borough Administrator has recommended the appointment of alternate municipal prosecutors to serve in the event of a temporary absence of the Borough Municipal Prosecutor; and

WHEREAS, the alternate municipal prosecutors, pursuant to N.J.S.A. 2B:25-4(a) must also be approved and appointed by the governing body of the municipality; and

WHEREAS, the Administrator has recommended that Gary Grabas, Esq., Maryann O'Donnell McCoy, Esq., Peter Fico, Esq., Thomas H. Westfield, Esq. and Douglas R. Cabana Esq., each be appointed as Alternate Municipal Prosecutor for the Borough of Madison to serve in the event of temporary absence of the Municipal Prosecutor; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, professional services may be retained without public bidding; and

WHEREAS, the Borough Administrator recommends that the Alternate Municipal Prosecutors be compensated in accordance with the contract for professional services entered into with the Borough Prosecutor.

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

Section 1: The following appointments for the Year 2010 are made for Alternate Municipal Prosecutor, each with full address, telephone number and facsimile number as noted on the attached list: Gary Grabas, Esq., Maryann O'Donnell McCoy, Esq., Peter Fico, Esq., Thomas H. Westfield, Esq. and Douglas R. Cabana Esq.,

Section 2: The Borough Clerk is hereby directed to publish Notice of Adoption of this Resolution in the official newspaper of the Borough within 10 days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 24-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING MEMBERS TO COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following individuals are hereby appointed to the Community Development Revenue Sharing Committee:

Louis Riccio (appointed by Mayor)

Raymond M. Codey, Alternate (appointed by Mayor)

Jeannie Tsukamoto, Council Member (appointed by Council)

R 25-2010 RESOLUTION OF THE BOROUGH OF MADISON SETTING ALARM FEES FOR THE YEAR 2010

WHEREAS, Section 54-4A of the Madison Borough Code provides that the Borough Council shall upon recommendation of the Borough Chief of Police set the annual fee for a permit for a direct connection/monitoring of an alarm; and

WHEREAS, Section 54-4C of the Borough Code provides that the Borough Council shall annually set the one-time connection fee to be paid, check payable to "Borough of Madison", for approval of an application for connection to the alarm console; and

WHEREAS, the Borough Chief of Police has recommended that the fee pursuant to Section 54-4A for direct connection monitoring shall be \$200.00 for the year 2010 and that the fee pursuant to Section 54-4C, a one-time connection fee, shall be \$150.00 for the year 2010; and

WHEREAS, the Borough Council is in agreement with such recommendations;

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

1. During the calendar year 2010, any alarm permittee shall pay an annual fee to

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the Borough for a direct connection/monitoring in the amount of \$200.00 for the year, pursuant to Section 54-4A of the Borough Code.

2. During the year 2010, a one-time connection fee shall be paid to the Borough of Madison at the time of approval of an application for connection to the alarm console in the amount of \$150.00, pursuant to Section 54-4C of the Borough Code.

R 26-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING LOUIS A. RICCIO AS RELOCATION OFFICER FOR THE BOROUGH OF MADISON IN CONJUNCTION WITH THE RELOCATION ASSISTANCE PROGRAM ADMINISTERED BY THE DIVISION OF CODES AND STANDARDS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

BE IT RESOLVED, that the Council of the Borough of Madison, County of Morris, State of New Jersey hereby appoints Louis A. Riccio as Relocation Officer for the Borough of Madison effective immediately

R 27-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ROBERT LANDRIGAN TO THE POSITION OF EMERGENCY MANAGEMENT COORDINATOR FOR UNEXPIRED TERM THROUGH DECEMBER 31, 2010

BE IT RESOLVED by the Borough of Madison in the County of Morris and State of New Jersey that Robert Landrigan is hereby appointed to the position of Emergency Management Coordinator for the Borough of Madison for a term through December 31, 2010.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Rick Look, Morris County Office of Emergency Management Deputy Coordinator.

R 28-2010 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING COMMISSIONERS TO THE NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND

BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that **ROBERT F. KALAFUT** is hereby appointed as the Borough's Commissioner to the North Jersey Municipal Employee Benefits Fund,

BE IT FURTHER RESOLVED that **ELIZABETH CRESCIBENE** is hereby appointed as the Borough's Alternate Commissioner to the North Jersey Municipal Employee Benefits Fund.

R 29-2010 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTICIPATION IN THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM (McARP)

WHEREAS, there has been created a Morris County Adaptive Recreational Program (McARP); and

WHEREAS, said Program intends to provide recreational opportunities for people with disabilities of all ages, and further to give said persons an opportunity to explore new leisure time opportunities in conjunction with their age and specific disabilities;

and

WHEREAS, the total project cost is estimated to exceed \$300,000.00; and

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. That the Borough of Madison hereby intends to join the recreation program of the Arc, Morris Chapter (McARP) and support the program through a contribution from the 2010 Municipal budget.
2. That a certified copy of this resolution be transmitted to the Morris County Adaptive Recreation Program (McARP).

New Business

R 30-2010 RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,161,500 GENERAL IMPROVEMENT BONDS, SERIES 2010, OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY 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 between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit 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", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Trust Loan General Improvement Bonds, Series 2010, to the Trust in the aggregate principal amount not to exceed \$580,000 (the "Trust Loan Bond") and the Local Unit's Fund Loan General Improvement Bonds, Series 2010, to the State in an aggregate principal amount not to exceed \$1,581,500 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") 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 and the Loan Agreements; and

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

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

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit

hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$580,000 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$1,581,500 to the State in accordance with the provisions hereof. The Local Unit Bonds have been referred to and described in Bond Ordinance No. 28-2009 of the Local Unit entitled, "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", which was finally adopted by the Borough Council at a meeting thereof duly called and held on July 13, 2009, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amount of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed twenty years;

- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Borough Council hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-1F. The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1T;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

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Section 6. The law firm of Rogut McCarthy LLC (the "Local Unit's Bond Counsel") is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Borough Auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The Mayor and the Chief Financial Officer are severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 8. This resolution shall take effect immediately.

Section 9. 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.

Mr. Conley moved approval of Resolution R 30-2010. 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. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links
Nays: None

R 31-2010 RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF MADISON AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL 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 between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit 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", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Trust Loan General Improvement Bonds, Series 2010, to the Trust in the aggregate principal amount not to exceed \$580,000 (the "Trust Loan Bond") and the Local Unit's Fund Loan General Improvement Bonds, Series 2010, to the State in an aggregate principal amount not to exceed \$1,581,500 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the

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State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes Annotated, other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of that certain Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein;

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 Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by the Mayor in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor, in his sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by the Mayor. The Borough Clerk is hereby authorized to attest to the execution of the Financing Documents by the Mayor and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Mayor or the Chief Financial Officer (the "Authorized Officers") and the Borough Clerk are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution

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and affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to Rogut McCarthy LLC, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Mr. Conley moved approval of Resolution R 31-2010. 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. Conley, Mrs. Tsukamoto

Dr. Esposito, Mr. Cerciello, Mr. Links

Nays: None

R 32-2010 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING AND APPROVING MADISON-CHATHAM JOINT MEETING RESOLUTION #10-01 AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS AND THE ESCROW AGREEMENTS AND AUTHORIZING VARIOUS OTHER MATTERS, ALL IN CONNECTION WITH THE 2010 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Operating Committee of the Madison-Chatham Joint Meeting at a special meeting held on December 30, 2009, adopted Resolution #10-01 on behalf of the Madison-Chatham Joint Meeting authorizing the execution and delivery of the loan agreements and the escrow agreements and authorizing various other matters, all in connection with the 2010 New Jersey Environmental Infrastructure Trust Financing Program; and

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WHEREAS, the Borough Council concurs with such action and authorizes and ratifies such Resolution on behalf 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 the Resolution #10-01 of the Madison-Chatham Joint Meeting authorizing the execution and delivery of the loan agreements and the escrow agreements and authorizing various other matters, all in connection with the 2010 New Jersey Environmental Infrastructure Trust Financing Program is hereby approved and authorized on behalf of the Borough of Madison, and the action of the Operating Committee in adopting same is ratified and approved.

Mr. Conley moved approval of Resolution R 32-2010. 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. Conley, Mrs. Tsukamoto
Dr. Esposito, Mr. Cerciello, Mr. Links

Nays: None

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 1:10 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved January 25, 2010 (EO)