

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

March 14, 2011 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 14th day of March 2011. Mayor Holden called the meeting to order at 7 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Borough Clerk read the statement pursuant to the Open Public Meetings Act:

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 6, 2011. 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:

Robert H. Conley
Jeannie Tsukamoto
Vincent A. Esposito
Sebastian J. Cerciello
Donald R. Links
Robert G. Catalanello

Also Present:

Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Business Administrator
Elizabeth Osborne, Borough Clerk
Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

Three Contract Matters, one Litigation Matter and one Personnel Matter were added to the Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Dr. Esposito moved:

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

MINUTES FOR APPROVAL (1)
February 28, 2011

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

CONTRACT MATTERS (6)
VEHICLE TRACKING SYSTEM

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COMMUNITY POOL PARKING LOT
GREEN ACRES GRANT
FORCE MAIN BREAK
LABOR NEGOTIATIONS
SEXUALLY ORIENTED BUSINESS ORDINANCE

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

PERSONNEL MATTERS (3)
POLICE OFFICER
POLICE DEPARTMENT DISPATCHERS
BOARD OF HEALTH

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

LITIGATION MATTERS (1)
COUGAR FIELD

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

Seconded: Mr. Conley
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Holden reconvened the Regular Meeting at 8:05 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Mrs. Tsukamoto moved approval of the **Executive Meeting Minutes of February 28, 2011**. Mr. Conley seconded the motion, which passed by the following roll call vote:

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

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of February 28, 2011**. Mr. Conley seconded the motion, which passed by the following roll call vote:

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

GREETINGS TO PUBLIC

Proclaiming March 2011 as Month of Respect

Mayor Holden asked former Mayor Ellwood (Woody) R. Kerkeslager to assist in presenting the Month of Respect Proclamation. Groups from Drew University and Madison High School were called forward to receive the Proclamation.

*Proclamation
of the
Borough of Madison*

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***Proclaiming
Month of Respect
March 2011***

Whereas, the State of New Jersey passed the “Anti-Bullying Bill of Rights” which Governor Christie signed into law on January 5, 2011, the strongest such law in the United States; and

Whereas, Madison has a history of diversity, respect and tolerance; and

Whereas, Madison Public Schools have policy on “Harassment, Intimidation and Bullying”; and

Whereas, the School Resource Officer of the Madison Police Department conducts anti-bullying programs in the Madison Public Schools; and

Whereas, Project Community Pride helps children to cope with issues related to prejudice; and

Whereas, Madison High School has the Peer Group Connections program focusing on anti-bullying; and

Whereas, “Arts of Respect” sponsored by Drew University’s Center on Religion, Culture and Conflict, is an endowed annual arts festival to be held March 15-24 this year addressing prejudice and hatred and promoting respect and empathy through the arts; and

Whereas, Madison High School art students are invited this year to participate in Drew’s juried Arts of Respect competition; and

Whereas, Atlantic Health’s art therapy program, “Healing Arts”, will participate in the Arts of Respect program this year; and

Whereas, Madison Arts & Culture Alliance (MACA) encourages Madisonians to participate in these arts programs and promote the awareness of differences, understanding and respect;

NOW, THEREFORE, I, Mary-Anna Holden, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby proclaim March 2011 as ***Month of Respect*** in the Borough of Madison and urge residents to participate in the many planned, related activities in Madison this month.

Mary-Anna Holden, Mayor
March 14, 2011

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May Day Leading the Way Awards

Mayor Holden asked Mara Johnson, Chairperson of the May Day Committee, to assist in presenting May Day awards. This year's recipients include Steven Whitethorn, for his financial support of May Day as well as the beautification of the Downtown, Nancy Bruce, for her leadership in May Day preparations, and Lisa Ellis, for coordinating volunteers for May Day.

Mayor Holden made the following announcements:

Employee of the Month for March:

Fran Boardman of Planning and Zoning for her work on open, inactive Developer Escrow accounts, resulting in over 250 accounts either being canceled or refunded.

Anniversaries:

30th Anniversary - Margaret Watson of the Department of Public Works on March 31st.

25th Anniversary - Stan Godlewski of the Fire Department on March 31st.

REPORTS OF COMMITTEES

Finance and Borough Clerk

Mr. Conley, Chair of the Committee, made the following comments:
Nominating petition forms for local candidates are available in the Borough Clerk's Office and must be returned by 4 p.m. on April 11 for the June 7th Primary. April 18th is the last day to change Party affiliation for the June Primary. Late night voter registration is May 17, 2011, which is the last day to register before the Primary Election.

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
Mrs. Tsukamoto urged all residents to support the Japan earthquake and tsunami relief efforts. Financial donations can be made through the American Red Cross at www.redcross.org. Mrs. Tsukamoto reassured residents that the Borough of Madison has a very detailed emergency plan in place, including a reverse 911 call system as well as plans for distribution of medicines if mandated by the federal government.

Utilities

Dr. Esposito, Chair of the Committee, made the following comments:
The Madison Electric Department continues their annual substation maintenance and testing. They are also pumping out and inspecting manholes, as well as inspecting switches along Madison Avenue and the business district, due to an increase in water resulting from storms.

Public Works and Engineering

Mr. Cerciello, Chair of the Committee, made the following comments:
Mr. Cerciello reported that he participated in the Madison High School service project fair encouraging students to volunteer for service projects, including helping with parks maintenance. Mr. Cerciello also noted that a mailbox located along Madison Avenue was damaged in a recent storm and is in need of repair. Mr. Cerciello suggested sending a letter to the U.S. Post Office.

Health & Public Assistance

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

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The Madison Public Library will be closed for asbestos abatement beginning March 28, 2011. The Chase Auditorium will remain open. Patrons can still access materials through the online library services, as well as using other area libraries.

Community Affairs

Mr. Catalanello, Chair of the Committee, made the following comments:
The Morris County Utilities Authority will hold their Household Hazardous Waste and computer and television drop-off events on Saturdays, May 7th and June 11th, at the Morris County Public Safety Training Academy.

Mayor Holden announced that curbside pickup of yard waste has begun and that residents can now include recyclable items with recycling symbols 1 through 7 with their regular recycling.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

E-mail received March 5, 2011, from Don Brunner of Redmond Drive regarding the municipal budget and leaf removal.

E-mail received March 11, 2011, from Joe Balwierczak of Beech Avenue regarding leaf removal.

INTRODUCTION OF THE 2011 BUDGET AND TAX RESOLUTION R 74-2011

Statement by Borough Clerk:

Upon introduction and adoption, the 2011 Budget and Tax Resolution will be published by summary in the Madison Eagle on March 17, 2011, with a public hearing date set for April 24, 2011, at 8 p.m. in the Council Chamber, Hartley Dodge Memorial Building, 50 Kings Road, at which time and place all interested individuals will have an opportunity to be heard, and there will be consideration for final adoption. A copy of the budget as introduced will be filed with the Madison Public Library and the Morris County Library for public review.

Robert F. Kalafut, Borough Chief Financial Officer, explained that the 2011 municipal budget was recommended for introduction tonight to comply with regulations from the Division of Local Government Services. Mr. Kalafut explained the components of the recommended property tax increase of 3.51% for the Borough of Madison.

David H. Evans, Certified Public Accountant with Nisivoccia & Company, LLC, auditor for the Borough of Madison, explained budget actions recommended for this evening, including introduction of the 2011 municipal budget by resolution, introduction of an ordinance for the municipal budget appropriation limits and to establish a cap bank, as well as a resolution for self-examination of the budget.

Mayor Holden opened the meeting for Council discussion.

R 74-2011 RESOLUTION OF THE BOROUGH OF MADISON INTRODUCING 2011 BUDGET AND TAX RESOLUTION

Mr. Conley moved adoption of Resolution R 74-2011. Mrs. Tsukamoto seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

CAP BANK ORDINANCE AND SELF-EXAMINATION RESOLUTION

ORDINANCE 12-2011

CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Madison in the County of Morris finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$264,379 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Borough Council; hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Madison, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Madison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increase by 3.5% amounting to \$616,884 and that the CY 2011 municipal budget for the Borough of Madison be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Conley moved that Ordinance 12-2011, which the Borough Clerk read by title, be adopted. Mrs. Tsukamoto seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

R 82-2011 SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility , normally granted to the Director of the Division of Local Government Services , of conducting the annual budget examination ; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Madison has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Madison that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That the reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A: 4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenues are reasonable, accurate and correctly stated.
 - b. Items of appropriation are properly set forth
 - c. In itemization, form arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

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BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Mr. Conley moved adoption of Resolution R 82-2011. Mrs. Tsukamoto seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito
Mr. Cerciello, Mr. Links, Mr. Catalanello
Nays: 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.**

Don Brunner, Redmond Drive, asked if there was Council consensus regarding the existing leaf collection program.

Sandy Kolakowski, Park Avenue, noted that there is a lawsuit filed by Fieldturf on March 3rd regarding a bait and switch scheme for slip film tape. Ms. Kolakowski asked the Council to take a look at facts and choose other options, and noted her concern that the Borough not be duped.

Helen Kaar, Walnut Street, thanked the Council Members for their service. Ms. Kaar asked the Council to reconsider the artificial turf fields project for the 49 Acres to preserve the aquifer for our survival. Ms. Kaar noted that there is no biological need for artificial turf fields.

Mayor Holden asked for a moment of silence for the victims of the recent earthquake and tsunami in Japan.

Thomas Binting, Green Avenue, reminded Council that the Madison Public Library was established by a vote of the residents of Madison, and noted that with any reduction in funding from the Borough, the Library will have to cut hours. Mr. Binting noted that internet access provided by the Library is for Borough-wide and Board of Education internet systems.

Martin Horn, West Lane, thanked the Mayor and Council for their support of the artificial turf fields at the 49 Acres and asked the status of bid specifications for construction. Mr. Horn thanked Borough Engineer Robert Vogel and Engineering Assistant Daniel Buckelew for all their work.

AGENDA DISCUSSIONS

03/14/2011-1(a) OVERVIEW OF MASTER PLAN AND CURRENT FIELDS PROJECT
Mayor Holden provided a summary of the background of the 49 Acres project, explaining that a concept plan was provided by T&M Associates. A small ad hoc committee was formed and provided many concept ideas for both active and passive recreation. Mayor Holden explained the need to move forward with Phase 1B, consisting of two artificial turf playing fields. This portion to be developed for turf

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fields is commonly known as “The Pit”. The Board of Education was initially contributing to the project and is not able to at this time. This project is one portion of the Master Plan, which is re-examined every six years. By the next Council meeting, we will start discussion of the passive portion of the plan, with a committee formed for that purpose. Mayor Holden noted that the Phase 1B plan is a well-thought-out and researched plan, with field needs studied for over 15 years.

03/14/2011-12 MADISON RECREATION COMPLEX TIME OUT

Mr. Cerciello requested a time out on the proposed project for artificial turf fields. Mr. Cerciello feels the project is moving too fast without enough input from residents. Mr. Cerciello recommended meeting with the Board of Education for further discussions. Mr. Cerciello recommended an overall master plan, including a field house, bleachers and more room for scoreboards. Mr. Cerciello recommended doing more work and spending appropriate funds wisely.

03/14/2011-1 APPROPRIATION OF \$45,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A UTILITY TRUCK WITH ACCESSORIES

There was consensus that the ordinance prepared for this item not be listed for introduction later in the meeting.

03/14/2011-2 APPROPRIATION OF \$45,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A SERVICE TRUCK BODY WITH ACCESSORIES

There was detailed discussion, after which there was consensus to appropriate funds for the purchase of a service truck body with accessories as recommended by Public Works Superintendent David Maines. Ordinance 7-2011 is listed for introduction later in the meeting.

03/14/2011-3 APPROPRIATION OF \$60,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF AN ABOVE GROUND VEHICLE LIFT WITH ACCESSORIES

After a brief explanation by Mr. Maines, there was consensus to list Ordinance 8-2011 for introduction as recommended.

Ordinance 8-2011 is listed for introduction.

03/14/2011-4 APPROPRIATION OF \$15,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A NEW LAWN MOWER WITH ACCESSORIES

There was consensus that the ordinance prepared for this item not be listed for introduction later in the meeting.

03/14/2011-11 APPROPRIATION OF \$70,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A BRINE OPERATION SYSTEM

There was consensus to list Ordinance 13-2011 for introduction as recommended. Ordinance 13-2011 is listed for introduction.

03/14/2011-5 CONFINED SPACE SERVICE AGREEMENT

There was consensus to list on the Consent Agenda a resolution awarding the contract as recommended by Administrator Ray Codey. Resolution R 76-2011 is listed on the Consent Agenda.

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03/14/2011-6 CAPITAL PROJECT REVIEW COMMITTEE

Following discussion, there was agreement that Council Member Catalanello will bring his recommendation for committee members to the next meeting.

03/14/2011-7 USER FEE ORDINANCE

This item was removed from the agenda discussion.

03/14/2011-8 EXPENSE REDUCTION AD HOC COMMITTEE

This discussion will be taken up again at the next meeting.

03/14/2011-9 SUBSIDIES FOR ORGANIZATIONS

Mrs. Tsukamoto gave a brief explanation of her agenda recommendation and asked that fellow Council Members review the data provided for discussion at the next Council meeting. This discussion will be taken up again at the next meeting.

03/14/2011-10 DEPARTMENTAL PURCHASING, LEASING AND SERVICE CONTRACTS

This discussion will be taken up again at the next meeting.

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.**

Carmen Pico, North Street, noted bully problems take place outside of schools as well, asking parents to be aware of their children's behavior. Mr. Pico asked that the Council not argue in public.

Lisa Ellis, Brittin Street, thanked the Mayor and Council for funding the turf fields project. Mrs. Ellis stated that the Board of Education and the Borough of Madison have improved communications and shared services. Mrs. Ellis asked that Council Member Cerciello stop repeating the suggestion that both boards do not work together.

ADVERTISED HEARINGS

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular Meeting of the Mayor and Council held on February 28, 2011, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

**ORDINANCE 5-2011
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
195 OF THE BOROUGH CODE, LAND DEVELOPMENT ORDINANCE,
SECTION 34E ENTITLED "PROHIBITED SIGNS"**

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WHEREAS, the Borough Planner has recommended amending Chapter 195 of the Borough Code, the Madison Land Development Ordinance, Section 195-34E, entitled “Prohibited signs”; and

WHEREAS, the Borough Council has considered the proposed amendment to the Madison Land Development Ordinance and wishes to amend the Code.

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 195 of the Borough Code entitled “Madison Land Development Ordinance” shall be amended as follows:

SECTION 1: Section 195-34E, entitled “Prohibited signs” is hereby amended as follows:

....

(5) No sign, including LED (light-emitting diode) signs, shall be lighted by means of a flashing light, nor shall any sign be in whole or in part moving, mobile or revolving or electrically or mechanically activated.

....

SECTION 2: All other provisions of the Ordinance remain unchanged.

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

Mayor Holden opened up the public hearing on Ordinance 5-2011. Since no member of the public wished to be heard, the public hearing was closed.

Mayor Holden asked Mr. Mezzacca to explain changes to Ordinance 5-2011 recommended by the Planning Board since introduction. Mr. Mezzacca explained additional language to clarify types of signs as well as the addition of specific LED language. There was a consensus to re-introduce Ordinance 5-2011.

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of March 28, 2011, in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

**ORDINANCE 5-2011
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
195 OF THE BOROUGH CODE, LAND DEVELOPMENT ORDINANCE,
SECTION 34E ENTITLED “PROHIBITED SIGNS”**

WHEREAS, the Borough Planner has recommended amending Chapter 195 of the Borough Code, the Madison Land Development Ordinance, Section 195-34E, entitled “Prohibited signs”; and

WHEREAS, the Borough Council has considered the proposed amendment to the Madison Land Development Ordinance and wishes to amend the Code.

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 195 of the Borough Code entitled “Madison Land Development Ordinance” shall be amended as follows:

SECTION 1: Section 195-34E, entitled “Prohibited signs” is hereby amended as follows:

....

(5) No sign shall be lighted by means of a flashing light, nor shall any sign be in whole or in part moving, mobile, revolving, electrically or mechanically activated, or give the illusion of movement.

....

(19) LED (light-emitting diode) signs are prohibited; however the use of LED technology as an indirect light source for signs is permitted provided the LED source is not visible or used to comprise any part of the sign lettering, logo or external display face.

....

SECTION 2: All other provisions of the Ordinance remain unchanged.

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

Dr. Esposito moved that Ordinance 5-2011, which the Borough Clerk read by title, be adopted. Mrs. Tsukamoto seconded the motion. Following an explanation for re-introducing by Mr. Mezzacca, the Borough Clerk read Ordinance 5-2011 into the record. The motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 6-2011
Removed from Agenda and the # retired

ORDINANCE 7-2011

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$45,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A SERVICE TRUCK BODY WITH ACCESSORIES

WHEREAS, the Superintendent of Public Works has recommended that the Borough appropriate \$45,000.00 from the General Capital Improvement Fund to purchase a service truck utility body with accessories; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$45,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$45,000.00 from the General Capital Improvement Fund to purchase a service truck utility body with accessories; and

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

SECTION 1: The amount of \$45,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a service truck utility body with accessories.

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

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

Mr. Cerciello moved that Ordinance 7-2011, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 8-2011

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$60,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF AN ABOVE GROUND VEHICLE LIFT WITH ACCESSORIES

WHEREAS, the Superintendent of Public Works has recommended that the Borough appropriate \$60,000.00 from the General Capital Improvement Fund to purchase an above ground vehicle lift with accessories; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$60,000.00 for this purpose; and

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WHEREAS, the Borough Council has determined that the Borough should appropriate \$60,000.00 from the General Capital Improvement Fund to purchase an above ground vehicle lift with accessories; and

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

SECTION 1: The amount of \$60,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase an above ground vehicle lift with accessories.

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

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

Mr. Cerciello moved that Ordinance 8-2011, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 9-2011

Removed from Agenda and the # retired

ORDINANCE 10-2011

Removed from Agenda and the # retired

ORDINANCE 11-2011

ORDINANCE OF THE BOROUGH OF MADISON REVISING CHAPTER 94 OF BOROUGH OF MADISON CODE TO MAKE PROVISION WITH RESPECT TO THE AGGREGATION OF DEMAND RESPONSE ON BEHALF OF RETAIL CUSTOMERS IN THE BOROUGH OF MADISON ELECTRIC UTILITY SYSTEM

WHEREAS, the Federal Energy Regulatory Commission (“Commission”) has issued Order No. 719, 125 FERC ¶ 61,071, 73 Fed. Reg. 64,099 (October 28, 2008), as amended by Order No. 719-A, 128 FERC ¶ 61,059, 74 Fed. Reg. 37775 (July 29, 2009), order denying rehearing, Order No. 719-B, 129 FERC ¶ 61,252 (December 17, 2009); and

WHEREAS, pursuant to Order No. 719, as amended, 18 C.F.R. § 35.28(g)(1)(iii) provides: “Aggregation of retail customers. Each Commission-approved independent system operator and regional transmission organization must accept bids from an aggregator of retail customers that aggregates the demand response of the customers of utilities that distributed more than 4 million megawatt-hours in the previous fiscal year, and the customers of utilities that distributed 4 million megawatt-hours or less in the previous fiscal year, where the relevant electric retail regulatory authority permits such customers' demand response to be bid into organized markets by an aggregator of retail customers. An independent system operator or regional transmission organization must not accept bids from an

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aggregator of retail customers that aggregates the demand response of the customers of utilities that distributed more than 4 million megawatt-hours in the previous fiscal year, where the relevant electric retail regulatory authority prohibits such customers' demand response to be bid into organized markets by an aggregator of retail customers, or the customers of utilities that distributed 4 million megawatt-hours or less in the previous fiscal year, unless the relevant electric retail regulatory authority permits such customers' demand response to be bid into organized markets by an aggregator of retail customers.” and

WHEREAS, pursuant to Order No. 719, as amended, 18 C.F.R. § 35.28(g)(1)(i)(A) provides: “Every Commission-approved independent system operator or regional transmission organization that operates organized markets based on competitive bidding for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator’s or regional transmission organization’s tariff) must accept bids from demand response resources in these markets for that product on a basis comparable to any other resources, if the demand response resource meets the necessary technical requirements under the tariff, and submits a bid under the Commission-approved independent system operator’s or regional transmission organization’s bidding rules at or below the market-clearing price, unless not permitted by the laws or regulations of the relevant electric retail regulatory authority”; and

WHEREAS, pursuant to Chapter 94, Article 1 et seq. of the Madison Borough Code, the Madison Borough Council is authorized to enact laws and regulations governing the provision of electric power to retail customers served within the boundaries of the Borough of Madison Electric Utility System; and

WHEREAS, the Borough of Madison distributed less than 4 million megawatt-hours in the previous fiscal year; [08-09: 138,343 MWH; 04-05: 146,401 MWH; 05-06: 143,376 MWH] and

WHEREAS, the Madison Borough Council, as the electric retail regulatory authority for the Borough of Madison Electric Utility, has determined it to be desirable and in the interests of the residents/users in the Borough of Madison that the electricity to those residents/users continue to be provided by the Borough of Madison Electric Utility and that demand response, which has always been considered an inherent part of the load management responsibility of the Borough of Madison Electric Utility, also continue to be provided by or under the control of the Borough of Madison Electric Utility so that aggregation of demand response on behalf of retail customers served by the Borough of Madison Electric Utility should be bid directly into the organized electric and ancillary services markets administered by PJM (or any successor independent system operator or regional transmission organization to which the Borough of Madison Electric Utility is a participant) by the Borough of Madison Electric Utility or its authorized designee; and

WHEREAS, the Madison Borough Council has determined that it would be harmful to the ability of the Borough of Madison Electric Utility to provide electricity to the residents/users of the Borough of Madison at the lowest feasible long-run cost, and to the collective interests of the Borough of Madison Electric Utility as a load-serving entity with an obligation to serve at retail, and the Borough of Madison Electric Utility System’s retail customers to permit any entity other than the Borough

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of Madison Electric Utility System itself or its authorized designee to aggregate demand response on behalf of its retail customers;

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

Section 1. CHAPTER 94, ARTICLE 1 et seq., of the Borough Code is hereby revised to add, under the heading “Aggregation of Retail Customer Demand Response,” a new subsection Chapter 94-6 to provide as follows:

- A. The Borough of Madison Electric Utility System or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by the Borough of Madison Electric Utility System directly into any Federal Energy Regulatory Commission-approved independent system operator’s or regional transmission organization’s organized electric markets.
- B. Retail customers served by the Borough of Madison Electric Utility wishing to bid their demand response into a Federal Energy Regulatory Commission-approved independent system operator’s or regional transmission organization’s organized electric markets may do so by participating in the program established by the Borough of Madison Electric Utility or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Borough of Madison Electric Utility.

Section 2. CHAPTER 94, ARTICLE 1 et seq., of the Borough Code is hereby revised to add, under the heading “Ancillary Services Provided by Demand Response Resources,” a new subsection Chapter 94-7 to provide as follows:

- A. The Borough of Madison Electric Utility or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by the Borough of Madison Electric Utility directly into any Commission-approved independent system operator’s or regional transmission organization’s organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator’s or regional transmission organization’s tariff).
- B. Retail customers served by the Borough of Madison Electric Utility wishing to bid their demand response into a Commission-approved independent system operator’s or regional transmission organization’s organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator’s or regional transmission organization’s tariff) may do so only by participating in the program established by the Borough of Madison Electric Utility or its authorized designee. Retail customers are not permitted to participate in the demand response

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program of any other entity without the express prior authorization of the Borough of Madison Electric Utility.

Section 3. CONFLICTS. Any provision of any Ordinance of the Borough of Madison which is in conflict with any provision of this Ordinance is hereby repealed to the extent, but only to the extent, necessary to be consistent with this Ordinance.

Section 4. This ordinance shall take effect as provided by law.

Dr. Esposito moved that Ordinance 11-2011, which the Borough Clerk read by title, be adopted. Mr. Links seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 12-2011

CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Madison in the County of Morris finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$264,379 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Borough Council; hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Madison, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Madison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increase by 3.5% amounting to \$616,884 and that the CY 2011 municipal budget for the Borough of Madison be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be

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retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Conley moved that Ordinance 12-2011, which the Borough Clerk read by title, be adopted. Mrs. Tsukamoto seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 13-2011

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$70,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A BRINE OPERATION SYSTEM

WHEREAS, the Superintendent of Public Works has recommended that the Borough appropriate \$70,000.00 from the General Capital Improvement Fund to purchase a brine operation system; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$70,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$70,000.00 from the General Capital Improvement Fund to purchase a brine operation system; and

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

SECTION 1: The amount of \$70,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a brine operation system.

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

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

Mr. Cerciello moved that Ordinance 13-2011, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

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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.

Dr. Esposito moved adoption of Resolutions R 76-2011 through R 81-2011 listed on the Consent Agenda. Mr. Conley seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Mr. Cerciello, Mr. Links, Mr. Catalanello

Nays: None

R 75-2011 ITEM REMOVED AND THE # RETIRED

R 76-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AN AGREEMENT BETWEEN COLGATE-PALMOLIVE AND THE MADISON FIRE DEPARTMENT FOR CONFINED SPACE SERVICES

WHEREAS, the Borough Administrator has recommended that the Borough enter into an agreement with Colgate-Palmolive Company to provide Confined Space Rescue Services to Colgate-Palmolive in Morristown at a cost of \$3,000.00 per year plus any costs incurred for each time the Borough Fire Department is called; and

WHEREAS, the Borough Council has determined that the execution of said Agreement on behalf of the Borough should be authorized and approved.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute an Agreement with Colgate-Palmolive Company to provide Confined Space Rescue Services to Colgate-Palmolive in Morristown at a cost of \$3,000.00 per year plus any costs incurred for each time the Borough Fire Department is called, in a form acceptable to the Borough Attorney.

R 77-2011 RESOLUTION OF THE BOROUGH OF MADISON APPROVING THE ANNUAL LITTLE LEAGUE PARADE TO BE HELD ON SATURDAY, APRIL 30, 2011

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WHEREAS, The Madison Little League has requested permission to hold its annual Little League parade on Saturday, April 30, 2011 to officially start their 2011 season; and

WHEREAS, the parade will begin at 12:00 Noon, and proceed on a route approved by the Madison Borough Police Chief, said route beginning at the intersection of Wilmer Street and Green Village Road, and it will continue down Green Village Road to Main Street, continuing east on Main Street and turn left onto Greenwood Avenue, continuing down Greenwood Avenue and turn left on Chapel Street where it will conclude at Dodge Field where there will be a brief ceremony at the conclusion of the parade; and

WHEREAS, Police Chief Trevena recommends approval of this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Madison Little League to hold its annual Little League parade in Madison on Saturday, April 30, 2011, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

R 78-2011 RESOLUTION OF THE BOROUGH OF MADISON
APPROVING RENEWAL OF TAXI/LIVERY DRIVER'S PERMITS FOR 2011

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Taxi/Livery Driver's Permit renewals be approved for the year 2011:

<u>LICENSE NO.</u>	<u>NAME</u>
5	Bernardo S. Brun
6	Javier Flores
7	Michael Lekas
8	Robert Kubach
9	Carmin C. Fornaro
10	John J. Mastrobuono

R 79-2011 RESOLUTION OF THE BOROUGH OF MADISON
APPROVING RENEWAL OF LIVERY OWNERS' LICENSES FOR
MADISON LIMOUSINE, MADISON TRANSPORTATION INC., PRECISE
LIMOUSINE TRANSPORT SERVICE, LLC AND MADISON LIVERY FOR
2011

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owners' License renewals be approved for the year 2011:

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<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicle</u>
1, 2, 3, 4, 5, 6, 7, 8, 9	Michael Lekas, t/a Madison Limousine 340 Main Street, Madison	9 Liveries
10	Robert Kubach, t/a Madison Transportation Inc. RR Station, Kings Road, Madison	1 Livery
11, 12, 13, 14, 15, 16,	Carmine C. Fornaro, t/a Precise Limousine Transport Service, LLC 14 Kings Road, Madison	6 Liveries
17	John J. Mastrobuono, t/a Madison Livery 152 Park Avenue, Madison	1 Livery

R 80-2011 RESOLUTION OF THE BOROUGH OF MADISON
APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY
DISCOVERY ORCHESTRA INC. TO BE HELD AT DREW UNIVERSITY

BE IT RESOLVED by the Council of the Borough of Madison, County of
Morris, State of New Jersey, that the following application for Raffles License, to be
held as listed below, be
and the same is hereby approved:

DISCOVERY ORCHESTRA INC.

I.D. No. 520-5-30093

R.A. No. 1195 – On Premise

April 9, 2011

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

R 81-2011 RESOLUTION OF THE BOROUGH OF MADISON
OPPOSING A-3766/S-2664, "MARKET COMPETITION AND CONSUMER
CHOICE ACT"

WHEREAS, this act would fundamentally alter the regulation of telephone
and cable television service in New Jersey; and

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WHEREAS, A3766/S2664 changes are so sweeping it deserves deliberate review and analysis, and must not be fast-tracked; and

WHEREAS, among other things, A3766/S2664 limits the obligation of a cable company to provide cable and internet connections to municipal buildings. Currently all municipal buildings are eligible for this benefit but the bill would limit the obligation to just one municipal building; and

WHEREAS, A3766/S2664 would eliminate the requirement that cable companies provide basic service and internet to municipal buildings and schools at no charge; and

WHEREAS, A3766/S2664 does not require the cable companies to provide a return feed to allow cable-casting of live municipal events and meetings; and

WHEREAS, A3766/S2664 would reduce the franchise fee payable by certain cable companies that have converted from a traditional franchise to a system-wide franchise; and

WHEREAS, A3766/S2664 does not require cable companies to meet or surpass any existing line extension policy or to meet any applicable consumer protection requirements, all of which are required by the current law; and

WHEREAS, the proposed verification process for determining whether a company is operating in a “competitive franchise area” is inadequate; and

WHEREAS, the proposed process for renewal of a system-wide franchise must be corrected to require that the renewal be under the same terms and conditions as the original franchise; and

WHEREAS, A3766/S2664 eliminates the right of a municipality operating under a municipal-consent based franchise to petition the BPU for a higher franchise fee.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris in the State of New Jersey that the Borough of Madison calls on the legislature to amend A3766/S2664 to ensure that all the commitments of N.J.S.A. 48:5A-28 be provided (a) upon application for a system-wide franchise, (b) upon renewal of a system-wide franchise and (c) upon conversion of a municipal-consent based franchise to a system-wide franchise.

BE IT FURTHER RESOLVED that the Borough of Madison strongly urges the legislature to oppose A3766/S2664 until such amendments are made and there has been an opportunity for all stakeholders to fully analyze the impact of these proposals and determine the fiscal impact of the bill on municipalities throughout the state.

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BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Christie, our State senator, our representatives in the General Assembly and the New Jersey League of Municipalities.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Conley, seconded by Dr. Esposito 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	\$11,428.54
Health & Public Assistance	2,250.25
Public Works & Engineering	213,774.67
Community Affairs	2,900.00
Finance & Borough Clerk	401,953.31
Utilities	<u>159,841.30</u>
Total	<u>\$792,148.07</u>

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

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

Nays: None

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 11:30 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved April 11, 2011 (EO)