

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

February 25, 2019 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 25th day of February, 2019. Mayor Conley called the meeting to order at 7:00 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 10, 2019. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale

Astri J. Baillie

Patrick W. Rowe

Maureen Byrne

John F. Hoover

Debra J. Coen

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Ms. Baillie moved:

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

MINUTES FOR APPROVAL (1)

January 28, 2019

February 11, 2019

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

LITIGATION MATTERS (1)

AFFORDABLE HOUSING UPDATE

Regular Meeting Minutes – February 25, 2019

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

PERSONNEL MATTERS (1)

SENIOR VAN DRIVER

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

Seconded: Mrs. Vitale

Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

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

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of January 28, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Ms. Baillie moved approval of the **Executive Minutes of February 11, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of January 28, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

GREETINGS TO PUBLIC

Mayor Conley noted that the Madison High School Ice Hockey teams will be recognized at the March 11, 2019 Council Meeting.

REPORTS OF COMMITTEES

Public Safety

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

The Madison Fire Department reports 27 General Alarms, 20 Still Alarms, 27 Investigations and 32 Medical calls for a total of 106 responses for the month of January. The Department held two drills, conducted 47 inspections and four smoke/CO inspections. The Fire Department will participate in Morris County's St. Patrick's Day parade on Saturday, March 9th, with Geraldine. The parade is held in Morristown and starts at noon.

Finance and Borough Clerk

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

Regular Meeting Minutes – February 25, 2019

Mrs. Vitale noted that the 2019 budget process continues with Departments presenting their budgets and noted a special budget hearing on Monday, March 4, 2019, at 7:00 p.m. At the hearing the proposed budget will be reviewed along with revenues from the former Green Village Road School property. Introduction of the budget is scheduled for March 25th.

Utilities

Mr. Rowe, Chair of the Committee, made the following comments:
On Saturday, February 16, at the corner of Park and Ridgedale Avenues, there was a car/pole accident. The utility pole was broken in half. Crews temporarily secured it and transferred all the lines to a new pole on Tuesday morning. The Borough has auctioned old bucket trucks. Water main replacement on Greenwood Avenue is scheduled to begin within the next two weeks. They will be replacing the main from John Marshall Lane to the Florham Park boarder. The Department attended a "Water System Distribution Operations" seminar as required by law, as well as NJ One Call (Underground Utility Location) Safety Meeting program. As a reminder, whenever you or a contractor working on your property plans to dig you must first contact the One Call center by dialing 811. The contractor working at the A/B wells treatment plant has completed the well restoration work. This is part of our ongoing effort to maintain all our wells to ensure the water supply to residents. Both the electric and water departments assisted with the snow removal process during the recent storms.

Public Works and Engineering

Ms. Byrne, Chair of the Committee, made the following comments:
We had two snow storms recently and the Public Works did a fine job with maintenance. The Public Works office is working on the second annual Town Swap, which is a combined effort between the Environmental Commission and the Dept. of Public Works, scheduled for May 11th. The Environmental Commission will hold a Green Forum at Drew University on March 14th and challenges all schools to help save the environment. They continue work on the 'Skip the Straw' project, encouraging food establishments to skip or use paper straws.

Community Affairs

Mr. Hoover, Chair of the Committee, made the following comments:
The Senior Citizen Advisory Committee will meet next week to discuss ideas and projects at the Rexford Tucker Apartments. Anyone interested in joining the committee is encouraged to contact Chairman Thomas Honohan. Tax preparation for seniors is underway and a new Medicare counselor is available to seniors and their families. A bus trip is planned for May 22nd to see "Beautiful" on Broadway. The Downtown Development Commission held their monthly meeting to discuss changes to bylaws and new standing events. May Day will be held on Saturday May 4th, the Chamber of Commerce loyalty rewards card is now available. The Chamber will also hold an Easter Fun Fest on Saturday April 13th, along Waverly Place. Women's Night out is planned for May 9th and the annual Chamber of Commerce awards program is scheduled for June 4th at the Brooklake Country Club. The Recreation Advisory Club reminds all coaches that the AED (Automated External Defibrillators) certificate classes will be held free of charge on Saturday mornings, at the Volunteer Ambulance Corp.

Health

Ms. Coen, Chair of the Committee, made the following comments:
The Madison Health Department will be providing free adult health screenings including blood analysis for women's and men's health. Appointments are being

Regular Meeting Minutes – February 25, 2019

taken presently for these blood screenings (CMP) scheduled for Thursday March 7th and Thursday March 14th. Please call the Health Department at to schedule. A supply of free Radon and lead testing kits are available through April 15th at the Health Department. The Health Department would like to thank those pet owners for sending in their 2019 licensing renewals. Those who have not yet licensed their pets as of February 1st need to send in their renewals with the additional \$10 late fee. The 2018 Health Department Annual report has been submitted to the Board of Health and copies are available this evening and can also be found on the Borough's web site.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Letter dated February 19, 2019 from Bob Jennings, Albright Circle, regarding the PILOT payments from property development at the former Green Village Road School property.

INVITATION FOR DISCUSSION (1 of 2)

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

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

AGENDA DISCUSSIONS

02/25/2019-1 2019 BUDGET DISCUSSION – DEPARTMENT HEADS
Russ Brown, Construction Code Official, provided a recap of 2018 Building Department activity, noting \$780,104 permit revenue, \$1,206,062 in COAH fees processed and 8500 inspections performed. Mr. Brown noted goals for 2019 including implementing a new prior approval process with Zoning and Engineering utilizing SDL software. Chief Darren Dachisen provided information regarding Police Department divisions, organization and annual statistics. Chief Dachisen noted accomplishments and goals, including upgrades to the communications desk and re-establishing National Night Out. Fire Chief Louie DeRosa noted that the Fire Department will celebrate their 138th anniversary, as well as 2018 statistics and accomplishments and 2019 goals. Public Works Director Ken O'Brien provided information on projects completed, including completion of the North Street pump station upgrades, and interconnection agreement with South East Morris Municipal Utility Authority for water and new window at the Public Works garage. Michael Fitzpatrick, Health Officer for the Madison Health Department addressed the Council noting the department's responsibilities, daily activities and goals for 2019. Mr. Fitzpatrick provided copies of the 2018 Local Health Report for Mayor and Council, as well as copies for the public. Library Director Lynn Favreau addressed the Mayor and Council providing information regarding the Library operations and goals for 2019. Borough Engineer Robert Vogel noted 2018 accomplishments including completed road and sewer projects and trails at Summerhill Park. Mr. Vogel explained 2019 projects for reconstruction and milling and overlay and development of plans and specifications for the 2020 Road, Water Main, Sewer Main and other infrastructure project.

Regular Meeting Minutes – February 25, 2019

ADVERTISED HEARINGS - None

INVITATION FOR DISCUSSION (2 of 2)

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

He/she shall limit his/her statement to three (3) minutes or less.

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

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

Ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of March 11, 2019 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 ordinance 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 Conley called up Ordinance 5-2019 for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 5-2019 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 195-27 OF THE MADISON BOROUGH CODE ENTITLED
“LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF MADISON”
REGARDING CHANGES IN ELEVATION

WHEREAS, the Borough Engineer has recommended that the Madison Land Development Ordinance be amended to amend certain sections regarding excavation and site grading.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey, that Chapter 195, “The Land Development Ordinance of the Borough of Madison,” of the Revised General Code of the Borough of Madison is hereby amended and supplemented as follows:

SECTION 1: Section 195-27G(3) entitled “Changes in Elevation” shall be appended as follows:

...Immediately following the installation of the foundation for any new principal structure and prior to the commencement of the framing of the building, a foundation location and elevation survey shall be submitted to the Municipal Engineer, Zoning Officer and Construction Official for purposes of establishing (a) compliance with applicable zoning setback and yard requirements and (b) compliance with the individual lot grading plan approved by the municipality for the development. The survey shall

Regular Meeting Minutes – February 25, 2019

show the elevation of the top of the foundation wall at each corner of the foundation wall with reference to the approved grade elevation and building height and the horizontal dimensions and distances from lot lines with reference to approved setback distances. Every foundation survey shall be certified by a NJ licensed land surveyor.

SECTION 2: If any section or provision of this Ordinance is held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid shall be separable from the remainder or any portion thereof.

SECTION 3: All ordinances or parts thereof which are inconsistent or in conflict with the provisions of this ordinance or any part thereof are hereby repealed to the extent of said inconsistency or conflict.

SECTION 4: This ordinance shall take effect as provided by law.

Ms. Byrne moved that Ordinance 5-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

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

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

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

R 86-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING
PETER HISCANO TO THE POSITION OF SENIOR CITIZEN VAN DRIVER

WHEREAS, the Senior Citizen Director has recommended the appointment of Peter Hiscano to the position of Senior Citizen Van Driver.

Regular Meeting Minutes – February 25, 2019

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that Peter Hiscano is hereby appointed to the position of Senior Citizen Van Driver, not to exceed 29 hours per week.

BE IT FURTHER RESOLVED, that Peter Hiscano shall be compensated at a salary in the amount of \$16.32 per hour, with no benefits.

R 87-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING GOOD GRIEF INC. TO HOLD A 5K RUN AT GIRALDA FARMS ON SUNDAY, JUNE 2, 2019

WHEREAS, Good Grief, Inc. has requested permission to use portions of Laurel Way, Woodland Road, Treadwell Avenue, and Madison Avenue in connection with a benefit 5k run at Giralda Farms; and

WHEREAS, the Police Chief recommends approval of this request; and

WHEREAS, Good Grief, Inc. has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

WHEREAS, the Borough Council has reviewed said request and determined that it should be granted.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that Good Grief, Inc. is hereby granted permission to use portions of Laurel Way, Woodland Road, Treadwell Avenue, and Madison Avenue in connection with the 5k Run to be conducted on Sunday, June 2, 2019, between the hours of 7:00 a.m. and 2:00 p.m. subject to the condition that Good Grief, Inc. reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

R 88-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF PUBLIC PARKING LOT NUMBER ONE BY THE ROTARY CLUB OF MADISON FOR A PUBLIC SHREDDING EVENT ON APRIL 20, 2019

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number one on Saturday, April 20, 2019, between the hours of 9:00 a.m. and 12:00 p.m. for a public shredding event; and

WHEREAS, the Rotary Club of Madison has also requested permission to put up temporary signs advertising the event April 12, 2019 through April 20, 2019; and

Regular Meeting Minutes – February 25, 2019

WHEREAS, the Borough Administrator has recommended that such permission be granted; and

WHEREAS, the Rotary Club has submitted a Special Event Permit Application to the Borough as well as a Certificate of Liability Insurance naming the Borough of Madison as an additional insured; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Rotary Club of Madison is hereby given permission to hold a public shredding event at Madison public parking lot number one, on April 20, 2019, between the hours of 9:00 a.m. and 12:00 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department and to place signs advertising the event April 12, 2019 through April 20, 2019.

R 89-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RELEASE OF SURETY BOND TO KRE MADISON NJ, ON BLOCK 3001, LOT 28

WHEREAS, the Assistant Borough Engineer has recommended that a Surety Bond in the amount of \$512,991.00 and \$57,127.67 cash bond be released to KRE Madison NJ Urban Renewal, LLC, in connection with site improvements completed at the former Green Village Road School site on Kings Road; and

WHEREAS, the Assistant Borough Engineer advises that all site work has been satisfactorily completed.

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 Surety Bond described herein be released to KRE Madison NJ Urban Renewal, LLC, upon receipt of a Maintenance Guarantee.

R 90-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE USE OF PUBLIC WORKS GARAGE PROPERTY FOR A TOWN SWAP EVENT ON MAY 11, 2019

WHEREAS, the Madison Environmental Commission has requested permission to use Public Works Garage property on Saturday, May 11, 2019, between the hours of 9:00 a.m. and 12:00 p.m. for a public Town Swap event; and

WHEREAS, the Director of Public Works has recommended that such permission be granted; and

WHEREAS, the Borough Council agrees with this recommendation.

Regular Meeting Minutes – February 25, 2019

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 Environmental Commission, along with the Department of Public Works, is hereby given permission to hold a public Town Swap event at Public Works Garage property, on Saturday, May 11, 2019, between the hours of 9:00 a.m. and 12:00 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 91-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ST. BALDRICK'S CHILDREN'S CANCER EVENT AT WAVERLY PLACE ON SUNDAY, MARCH 24, 2019

WHEREAS, Tom Selquist has applied for special permission to close Waverly Place on Sunday, March 24, 2019, from noon to 4:00 p.m. for a community fundraising event for childhood cancer; and

WHEREAS, the Borough Council has determined that special permission should be issued provided that Mr. Selquist complies with all requests from the Police Department and Health Department.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that special permission is authorized to close Waverly Place on Sunday, March 24, 2019 from noon to 4:00 p.m. subject to compliance with requests from Borough officials.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Rowe, seconded by Mrs. Vitale and carried, the following vouchers of the Borough of Madison were approved for payment, and the supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Current Fund	\$6,321,650.35
General Capital Fund	11,270.31
Electric Operating Fund	714,414.88
Electric Capital Fund	0.00
Water Operating Fund	27,295.52
Water Capital Fund	5,270.28
Trusts	<u>78,719.35</u>
Total	<u>\$7,158,620.69</u>

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

Regular Meeting Minutes – February 25, 2019

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

NEW BUSINESS

Mayor Conley announced the following appointments and requested Council confirmation:

SUSTAINABLE MADISON ADVISORY COMMITTEE

Joan Maccari, 190 Loantaka Way, for a three (3) year term through December 31, 2021.

Lisa Jordan, 36 Loantaka Way, for a three (3) year term through December 31, 2021.

RECREATION ADVISORY COMMITTEE

Suzanne Whitehorn, 12 Vinton Road, for a one (1) year term through December 31, 2019.

Ms. Baillie moved adoption of the foregoing appointments. Ms. Byrne seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved March 25, 2019 (EO)