

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

**March 26, 2012 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 26th day of March 2012. Mayor Conley 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 5, 2012. 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:

Jeannie Tsukamoto  
Vincent A. Esposito  
Donald R. Links  
Robert G. Catalanello  
Robert Landrigan  
Carmela Vitale

Also Present:

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

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**READING OF CLOSED SESSION RESOLUTION**

Mrs. Tsukamoto moved:

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

MINUTES FOR APPROVAL (1)

February 13, 2012

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

CONTRACT MATTERS (4)

CONSTRUCTION SHARED SERVICES – CHATHAM BOROUGH

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HEALTH SERVICES – TOWNSHIP OF SPRINGFIELD  
BOROUGH ATTORNEY  
GREEN VILLAGE ROAD SCHOOL PROPERTY

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

POTENTIAL LITIGATION MATTER (1)  
HOUSING SAFETY

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

Seconded: Dr. Esposito  
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.

Mayor Conley asked for a moment of silence for the passing of Madison resident Joseph F. Cooney, a veteran of World War II, who participating in the Normandy Invasion, D-Day and fought at the Battle of the Bulge. Mr. Cooney had been a resident of Madison since 1968.

**APPROVAL OF MINUTES**

Mrs. Tsukamoto moved approval of the **Executive Minutes of February 13, 2012**. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale  
Nays: None

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of January 9, 2012**. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale  
Nays: None

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of January 23, 2012**. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale  
Nays: None

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of February 13, 2012**. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale  
Nays: None

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**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:  
Mayor Conley welcomed back Mr. Codey and asked him to say a few words. Mr. Codey asked that the Council and residents of Madison continue to work together and move forward. Mr. Codey thanked Jim Burnet for his service in his absence and thanked the Council for bring him back.

Mayor Conley noted his attendance at an Executive Training Program for Mayors and Council Presidents provided by the NJ League of Municipalities. The Mayor announced that Madison will receive State grant in the amount of \$140,000 for the milling and overlay of Rosedale Avenue to be completed this year. The Madison Public Library invites the public to attend a strategic planning meeting to be held Thursday, March 29<sup>th</sup> in the Chase Auditorium.

**BUDGET INTRODUCTION**

**Statement by Borough Clerk:**

Upon introduction and adoption, the 2012 Budget and Tax Resolution will be published by summary in the Madison Eagle on March 29, 2012 with a public hearing date set for April 23, 2012 at 8 p.m. in the Council Chamber, Hartley Dodge Memorial, 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 County Library for public review.

**R 103-2012 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING 2012 BUDGET AND TAX RESOLUTION**

MUNICIPAL BUDGET NOTICE

Section 1. R 103-2012 RESOLUTION OF THE BOROUGH OF MADISON INTRODUCING 2012 BUDGET AND TAX RESOLUTION

Municipal Budget of the \_\_\_\_\_ Borough \_\_\_\_\_ of \_\_\_\_\_ Madison \_\_\_\_\_, County of \_\_\_\_\_ Morris \_\_\_\_\_ for the Fiscal Year 2012

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012;

Be it Further Resolved, that said Budget be published in the \_\_\_\_\_ Madison Eagle \_\_\_\_\_

In the issue of \_\_\_\_\_ April 5th \_\_\_\_\_, 2012

The Governing Body of the \_\_\_\_\_ Borough \_\_\_\_\_ of \_\_\_\_\_ Madison \_\_\_\_\_ does hereby approve the following as the Budget for the year 2012.

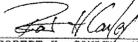
RECORDED VOTE (insert last name)	Ayes TSURAMOTO ESPOSITO LINKS CATALANELLO LANDRIGAN VITALE	Nays NONE	Abstained
			Absent

Notice is hereby given that the Budget and the Tax Resolution was approved by the \_\_\_\_\_ Governing Body \_\_\_\_\_ of the \_\_\_\_\_ Borough \_\_\_\_\_ of \_\_\_\_\_ Madison \_\_\_\_\_, County of \_\_\_\_\_ Morris \_\_\_\_\_, on \_\_\_\_\_ March 26th \_\_\_\_\_, 2012

A Hearing on the Budget and Tax Resolution will be held at \_\_\_\_\_ Madison Borough Hall \_\_\_\_\_, on \_\_\_\_\_ April 23rd \_\_\_\_\_, 2012 at \_\_\_\_\_ 8:00 \_\_\_\_\_ o'clock \_\_\_\_\_ (A.M.) (P.M.) \_\_\_\_\_ (Cross out one) \_\_\_\_\_ at which time and place objections to said Budget and Tax Resolution for the year 2012 may be presented by taxpayers or other interested persons.

Attest:  
  
ELIZABETH OSBORNE, Borough Clerk

Sheet 2

ADOPTED AND APPROVED UPON INTRODUCTION  
March 26, 2012  
  
ROBERT H. CONLEY, Mayor

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Mrs. Catalanello moved approval of Resolution R 103-2012, Resolution of the Borough of Madison adopting 2012 Budget and Tax Resolution. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

## ***REPORTS OF COMMITTEES***

### **Public Safety**

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

Mrs. Tsukamoto report that the Madison Police Department answered 1784 calls for service so far in the month of March. The Ambulance Corp., along with the Police, have responded to 58 medical calls. The Police Drug Abuse Resistance Education unit has conducted twelve training sessions for the youth of the community. The Police, in cooperation with the Madison School District, presented a program entitled 'Every Fifteen Minutes', on the hazards of drinking and driving to the Junior and Seniors at Madison High School. Mrs. Tsukamoto thanked Officer Chad Rybka who planned, coordinated and presented the program, along with the Madison Fire Department, Ambulance Corp., Atlantic Health Systems and many other local organizations who participated. Mrs. Tsukamoto noted that there has been overwhelmingly positive response to the program and that Officer Rybka will make a presentation to the governing body at a future council meeting.

### **Utilities**

Dr. Esposito, Chair of the Committee, made the following comments:

The Water and Electric Utilities continue their monthly maintenance upgrades. The Madison Chatham Joint meeting presented their annual budget with a zero percent increase over last year's budget and the Madison Planning Board passed zoning changes for 10 Maple and this item will be memorialized at their next meeting of April 3<sup>rd</sup>.

### **Public Works and Engineering**

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

### **Finance and Borough Clerk**

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

The Madison Community Gardens committee will hold a meeting on March 28<sup>th</sup> at the Ambulance Corp. building to discuss progress and scheduling of the gardens at 7:30 p.m. The 2012 hazardous waste and electronic disposal program will begin in May and continue throughout the summer. Flyers are available with additional information. The Construction Review Committee has met and many projects are underway including receipt of bid for the North Street pump station rehabilitation, due March 29<sup>th</sup>. Woodland Road east repaving contract has been awarded to JA Alexander. MRC parking lot repaving will be completed shortly with funds from the original bonding. Improvements on Park Avenue and Danforth Avenue have been completed, as per the County of Morris.

### **Community Affairs**

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

Mr. Landrigan noted several new businesses in the downtown area. Mr. Landrigan announced that the Farmers Market will return in June, first on Waverly Place and

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then in August move to Green Village Road in front of the Museum of Early Trades & Crafts. There will be a transportation meeting of March 29<sup>th</sup> for any resident to discuss improving access to the train stations along the Morris-Bergen line. Mr. Landrigan noted that the program 'Time of Your Life' will be held April 14<sup>th</sup> from 10 a.m. to 2 p.m. at the Civic Center, for resident seniors and their families. Mr. Landrigan announced that May Day will be held on Saturday, May 5<sup>th</sup>. Donation envelopes for May Day can be found in electric bills.

### **Health & Public Assistance**

Mrs. Vitale of the Committee made the following comments:

Mrs. Vitale reported that the Board of Health has announced the results of a survey regarding inspection of retail establishments. There was a 35% response rate with overall positive responses. The survey provided valuable information regarding inspections, and provided recognition to the Sanitarians. Mrs. Vitale requested permission from the representatives of the Joint Municipal Court of Madison, the Chathams and Harding, to place information at the court entrance, funded by the Municipal Alliance Addressing Substance Abuse, regarding the legal consequences of substance abuse. Mr. Vitale noted MAASA's participation in the 'Every Fifteen Minutes' program. Mrs. Vitale thanked all the volunteers for their realistic and professional participation, especial Officer Chad Rybka for his many hours in coordinating this program.

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

E-mail received March 13, 2012 from Kirk Moehle, Keep St. regarding the removal of Raymond Codey

E-mail received March 21, 2012 from CSW Schorr, Shadylawn Dr. regarding the removal of Raymond Codey

E-mail received March 22, 2012 from Sarah Chapman, Morris Place. regarding the removal of Raymond Codey

Letter received March 26, 2012 from Tim Harrington of Cross Gates Rd regarding the Council Budget review.

### **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.**

**Betsy Uhlman, Garfield Avenue**, representing the Madison Environmental Commission, spoke in support of the Sustainable Madison Committee proposed ordinance, a permanent committee to continue projects and grant programs committed to the green actions of the Borough.

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**Sam Cerciello, Park Avenue**, inquired about resolutions R 98-2012 regarding Self-Examination of the Municipal Budget and R 100-2012, concerning the Farmers Market.

**Maureen Byrne, Albright Circle**, representing the Downtown Development Commission that sponsors the Farmer Market, explained that the consensus of the commission is that the market belongs in the Downtown area to help encourage shopping and have split the location between Waverly Place and Green Village Road.

**Helen Crosier, Valley Road**, welcomed Mr. Codey back and asked that the Council consider the traditions and efforts of passed councils in their efforts to maintain the stability of the town. Mrs. Crosier noted that the Farmers Market is a great addition to the town, but asked that a different location be considered.

**Toni DeRosa, Alexander Avenue**, asked if other locations, such as the Madison High School parking area or the east end of Main Street be consider for the Farmers Market. Mrs. DeRosa welcomed Mr. Codey, and thanked the Mayor and Mr. Burnet.

### **AGENDA DISCUSSIONS**

#### **03/26/2012-1 MADISON 2020 ADVISORY COMMITTEE**

Mr. Burnet provided information regarding a sample ordinance, as suggested by the Environmental Commission, to establish the former Madison 2020 Advisory Committee. The proposed Sustainable Madison Advisory Committee ordinance includes items such as establishment of the committee, the purpose and responsibilities, appointment of Borough officials and membership terms. Mrs. Vitale expressed the importance of a committee to attain grants and other funding. Mr. Catalanello suggested that the Environmental Commission carry out these tasks. Mr. Landrigan noted his support to move forward. Mrs. Tsukamoto recommended that since the committee works with land use issue someone with an expertise in land use should be include as a member. Mr. Burnet noted that Borough staff members are non-voting members. Following discussion, the proposed ordinance will be reworked and brought back for introduction.

#### **03/26/2012-2 REDUCE STORM WATER DISCHARGE TO THE SANITARY SEWER**

There was discussion regarding possible ways to reduce the storm water discharge to the sanitary system. Borough Engineer Robert Vogel explained that reports indicate peaking during rain fall and that it is reasonable to address the problem while upgrade are made to the pumping station. Mr. Vogel noted that there is a need to identify the problem and give residents options for correction. Mr. Catalanello suggested giving residents incentive to correct violations. Existing ordinances will be reviewed for enforcement.

### **ADVERTISED HEARINGS**

The Clerk made the following statement:

Ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on March 12, 2012, was introduced by title and passed on first reading, was published in the Madison Eagle and made available to members of the general public requesting same.

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Mayor Conley called up Ordinance 1-2012 for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 1-2012  
CALENDAR YEAR 2012 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 2.5% 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 2012 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 \$174,147 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 2012 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 \$609,515 and that the CY 2012 municipal budget for the Borough of Madison be approved and adopted in accordance with this ordinance; and

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**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.

Mayor Conley opened up the public hearing on Ordinance 1-2012. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 1-2012, which the Clerk read by title, be finally adopted. Mrs. Tsukamoto seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

Mayor Conley declared Ordinance 1-2012 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

***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.**

***Sandra Kolakowski, Park Avenue***, suggested that residents be encouraged to use storm water to infiltrate back into the ground water, or use rain barrels to collect runoff.

***Jerry Mantone, Highland Avenue***, recommended voluntary compliance of storm water discharge and asked if there are any regulations or guidelines for residents to use so as not to have disputes among neighbors.

***Carman Pico, North Street***, encouraged the Council to appropriate funds to repair the North Street pump station.

***Tim Harrington, Cross Gates Road***, inquired about the number of sewer lines to the Joint Meeting from Madison, and can different areas of the Borough be measured for increases to the system during storms. Mr. Harrington asked where the YMCA and others empty their swimming pools.

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**Tom Crimins, Ridgedale Avenue**, raised concern regarding several items at the Luke Miller property, adjacent to his property, including sharing the cost painting the fence, maintenance of the garage roof, and removal of damaged limb and trees, due to the October snow storm. Mr. Crimins asked that the Luke Miller property be once again included in the May Day clean up efforts.

**Maureen Byrne, Albright Circle** extended an invitation to the 11<sup>th</sup> annual Taste of Madison to be held at the Park Avenue Club on April 2, 2012.

**James Sullivan, Broadview Avenue** asked for preliminary numbers regarding cost of sump pumps discharging into the storm sewer system.

**Sam Cerciello, Park Avenue**, volunteered to join the Construction Review Committee.

**INTRODUCTION OF ORDINANCES**

The Clerk made the following statement:

The Ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of April 9, 2012 in the 2<sup>nd</sup> 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 Conley called up Ordinances for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 2-2012

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR A NEW GAS PUMP WITH CARD READING STATION AND ACCESSORIES

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund to purchase a new gas pump and card reading station and 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 \$30,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund to purchase a new gas pump and card reading station and 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:

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SECTION 1: The amount of \$30,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a new gas pump and card reading station and 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. Links moved that Ordinance 2-2012, 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: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale  
Nays: None

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

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

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale  
Nays: None

**R 98-2012 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 2012 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

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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.

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.

R 99-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING THE ANNUAL LITTLE LEAGUE PARADE TO BE HELD ON SATURDAY, APRIL 21, 2012

**WHEREAS**, The Madison Little League has requested permission to hold its annual Little League parade on Saturday, April 21, 2012 to officially start their 2012 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

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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 21, 2012, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

**R 100-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE FARMERS' MARKET FOR 2012**

**WHEREAS**, the Downtown Development Commission has recommended to the Borough Council that the Farmers' Market be continued in the Borough of Madison to be held on Waverly Place and Lincoln Place every Thursday beginning June 14, 2012 through Thursday, August 16, 2012 and then on Green Village Road from August 23, 2012 to October 25, 2012; and

**WHEREAS**, the Borough Council recognizes that the Farmers' Market has been a welcome addition to the Borough in that it creates another community event which has been successfully run in the past;

**WHEREAS**, the Borough Council finds that it is a benefit to the Borough of Madison and its citizens to allow the continued operation of the Farmers' Market; and

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

1. A Farmers' Market is authorized to be conducted on Waverly Place and Lincoln Place every Thursday beginning June 14, 2012 through Thursday, August 16, 2012 and then on Green Village Road from August 23, 2012 to October 25, 2012.

2. The Farmers' Market shall be conducted in accordance with the 1993 "Guidelines for Madison's Farmers' Market", as amended by the 1997 amendments, as well as the Madison Farmers' Market Regulations and By Laws, subject to the dates and times and other conditions set forth in this resolution. Farmers shall be allowed to sell agricultural products that are produced and sold on their farms, including eggs, pork, wheat flour and baked goods and the sale of field-grown and cut field flowers; however, the sale of potted plants, shrubbery or other landscaping products shall not be permitted.

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4. The requirements of the Peddling and Soliciting Ordinance (Chapter 139 of the Madison Borough Code) shall not apply to the Farmers' Market as authorized by Chapter 139-13(c).

5. The requirements of the Sign Ordinance (Chapter 195 of the Madison Borough Code) shall not apply to the extent that the Farmers' Market shall be permitted to have signs as utilized in previous years for the day of the market only commencing from June 14, 2012 through October 25, 2012, at the following sites, or fewer, and the sign sizes and locations are subject to the approval of the Madison Police Department:

- (a) Main Street and Rosedale
- (b) Main Street and Greenwood
- (c) Main Street and Prospect
- (d) Main Street and Central
- (e) Kings Road and Prospect (on traffic island)
- (f) Kings Road and Green (on flag pole island)
- (g) Madison Avenue and Kings Road (traffic island by Grace Church)
- (h) Concurso Way (by James Park)
- (i) Park Avenue and Ridgedale
- (j) Central Avenue and Ridgedale

6. The requirements of the Parking Ordinance (Chapter 195 of the Madison Borough Code) shall not apply to the extent that there shall be two (2) hour parking during market hours in areas denoted as one hour parking;

7. The requirements of the Sidewalk and Outside Dining Ordinance (Chapter 195 of the Madison Borough Code) shall not apply to the extent that merchants shall be allowed to have additional tables and displays on the sidewalks during market hours.

**R 101-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF TAXI DRIVER'S PERMITS FOR 2012**

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Taxi Driver's Permit renewals be approved for the year 2012:

<b><u>LICENSE NO.</u></b>	<b><u>NAME</u></b>
12-5D	Bernardo S. Brun
12-6D	Javier Flores
12-7D	Mario Gatto
12-8D	Eduardo M. Brun
12-9D	Gabriela G. Brun
12-10D	Mayra Rivas-Flores
12-11D	Monica Brun

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12-12D  
12-13D

Jonathan S. Brun  
Yazmine Gingras

R 102-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF TAXI OWNER'S LICENSE FOR MADISON SQUARE TRANSPORTATION INC. FOR 2012

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Taxi Owner's License renewals be approved for the year 2012.

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicle</u>
12-18, 12-19 12-20, 12-21	Bernardo S. Brun and Javier Flores Madison Square Transportation Inc. 36 Lincoln Place, Madison	4 Taxis

***UNFINISHED BUSINESS*** – None

***APPROVAL OF VOUCHERS***

On motion by Dr. Esposito seconded by Mr. Conley 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	\$19,412.64
Health & Public Assistance	3,434.44
Public Works & Engineering	104,097.52
Community Affairs	26,656.54
Finance & Borough Clerk	3,195,167.48
Utilities	<u>1,096,712.24</u>
Total	<u>\$4,445,480.86</u>

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

Yeas: Mrs. Tsukamoto, Dr. Esposito, Mr. Links,  
Mr. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

***NEW BUSINESS*** - None

***ADJOURN***

There being no further business to come before the Council, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved June 25, 2012 (EO)