

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

**April 9, 2012 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 9th day of April 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  
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)

none

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

CONTRACT MATTERS (6)

BOROUGH ATTORNEY

PROPERTY TAX EXEMPTION

NORTH STREET PUMPING STATION REHAB

THURSDAY MORING CLUB, INC.

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TILCON PAVING

RECREATION CENTER DONATIONS

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

PERSONNEL MATTERS (1)

ADMINISTRATIVE ASSISTANT – PUBLIC WORKS DEPT

Date of public disclosure 90 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.

**APPROVAL OF MINUTES - NONE**

**GREETINGS TO PUBLIC**

Mayor Conley made the following presentations on behalf of the Downtown Development Commission (DDC) and congratulated the following recipients of the 2012 Leading the Way Awards and Tee Shirt Design contest winner:

**LEADING THE WAY AWARDS**

Madison Sports & Medical Rehabilitation Center

Small That's All

Gene Cracovia

Barbara Carey & Eileen Richardson – Civics Committee for the Garden Club of Madison

**MAY DAY TEE SHIRT DESIGN CONTEST WINNER**

Gabriel Benhaim-Killian

Mayor Conley presented awards to the following Proclamation:

*Proclamation  
of the  
Borough of Madison*

**CELEBRATING THE 5<sup>TH</sup> ANNUAL SUSAN G. KOMEN FOR THE  
CURE®  
NORTH JERSEY RACE FOR THE CURE®**

**MAY 6, 2012**

**WHEREAS**, breast cancer is the leading cause of death of women between the ages of 35 and 64 and increased public awareness of this disease, its risk factors and symptoms may save the lives of women and men across New Jersey; and

**WHEREAS**, Susan G. Komen For The Cure® is dedicated to education and research about causes, treatment and the search for a cure; and

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**WHEREAS**, the Komen National Race for the Cure Series, an event of the Susan G. Komen For The Cure®, is the largest series of 5 kilometer races in the world, raising public awareness and much needed funding for breast cancer research; and

**WHEREAS**, on Sunday, May 6<sup>th</sup>, runners, walkers, survivors, co-survivors and volunteers will unite at a new race location to be held at the Essex County South Mountain Recreation Complex for the 5<sup>th</sup> Annual Susan G. Komen For The Cure® North Jersey Race for the Cure® 5K Certified Run, 5K Walk and 1.5K Fun Walk event; and

**WHEREAS**, last year the Susan G. Komen For The Cure® North Jersey Race for the Cure® brought together thousands of women, men and children from northern New Jersey and beyond, and raised over \$1.5 million for the North Jersey service region to help fund breast cancer research and provide local community life-saving education, screening and treatment services;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim that Sunday, May 6, 2012 is ***SUSAN G. KOMEN FOR THE CURE® NORTH JERSEY RACE FOR THE CURE®*** day in the Borough of Madison. All residents are encouraged to participate in the Susan G. Komen For The Cure® North Jersey Race for the Cure® to help raise funds and awareness for the fight against this life-threatening disease, to join the celebration of survivorship and to honor those who have dedicated their lives to researching, treating, curing and caring for victims, and to those who have lost their battle with breast cancer.

Mayor Conley announced the following:

Employees of the Month for April:

Pat Gallagher and Sal DeBiasse of the Utilities Department and Donna Carey and Magdalena Martorana of the Water & Light Billing Department for the excellent work they performed launching the Water Line Protection Program.

**REPORTS OF COMMITTEES**

**Public Safety**

Mrs. Tsukamoto, Chair of the Committee, made the following comments:  
The Madison Fire Department responded three times this weekend to the Public Works garage on John Street to extinguish fires in mulch piles. Department of Public Works employees assisted the Fire Department. Residents should be aware of a red flag warning for our areas due to dry conditions and strong winds. Firefighter Dave Cary is mentoring a service project with the Boy Scouts Venture Crew 77, "Coupons for the Troops". Coupons can be dropped off at several location around Madison, including the Police and Fire building and the Hartley Dodge Memorial. The Madison Police Department is investigating nine reports of vehicle thefts. Residents are reminded to lock their vehicles and garages and report any suspicious activity. Project Community Pride breakfast, held on Sat. March 30<sup>th</sup> was

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attended by approximately 170 residents of the Chathams, Florham Park and Madison. Mrs. Tsukamoto congratulated award recipients Robert Landrigan and David Carver for their volunteerism.

### **Utilities**

Dr. Esposito, Chair of the Committee, made the following comments:  
The Electric and Water Utility staff continues maintenance of systems and urge all residents to follow the voluntary odd/even day watering conservation measures. Dr. Esposito reminded residents to check that lawn sprinklers are not watering sidewalks and driveway areas.

### **Public Works and Engineering**

Mr. Links, Chair of the Committee, made the following comments:  
Mr. Links reported that roadway reconstruction continues on Pine, Beech, Rose and Cedar Avenues and sewer line replacement has begun on Division Road and Academy Road, both on time and under budget.

### **Finance and Borough Clerk**

Mr. Catalanello, Chair of the Committee, made the following comments:  
Mr. Catalanello announced generous gifts donated to the Madison Recreation Complex of building materials, flag poles, concrete, and noted that this topic will be discussed at length at the next Council meeting.

### **Community Affairs**

Mr. Landrigan, Chair of the Committee, made the following comments:  
Mr. Landrigan reported that the 'Time of Your Life' program, providing resources for our older residents, will take place at the Civic Center on Saturday, April 14<sup>th</sup>. Income Tax preparation is in progress at the Civic Center as well. The Downtown Development Commission will hold an after party on May Day, Saturday, May 5<sup>th</sup> at the Madison Ambulance Corp. facility. More information on this event to follow.

### **Health & Public Assistance**

Mrs. Vitale of the Committee made the following comments:  
Mrs. Vitale reported that the Whippany River Watershed Action Committee has asked to host a Rain Barrel workshop in Madison on May 19<sup>th</sup>. More information to come. Mrs. Vitale reminded residents to bundle paper recycling responsibly, as there have been complaints regarding high winds and excessive recycling debris.

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Email dated April 5, 2012 from Ralph DeMaro of New Providence, NJ regarding Storm water problem.

### **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.**

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**Sam Cerciello, Park Avenue**, asked for explanation of resolution R 106-2012 regarding award of a contract for paving at the Madison Recreation Center and Ordinance 4-2012, listed for introduction, regarding purchase of a utility vehicle.

**Sandy Kolakowski, Park Avenue**, asked when residents can expect to receive a full accounting of the costs of the Madison Recreation Complex fields.

**Tim Harrington, Crossgates Road**, asked for clarification of proposed Ordinance 3-2012, regarding establishing a Sustainable Madison Committee.

**AGENDA DISCUSSIONS**

**04/09/2012-1**        APPROPRIATION OF \$20,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR A WORKMAN UTILITY VEHICLE  
There was no objection to Public Works Superintendent David Maines' request to appropriate \$20, 000.00 for the General Capital Improvement fund for the purchase of a Workman Utility vehicle and accessories.

Ordinance 4-2012 listed for introduction.

**04/09/2012-2**        MULCH AT THE DEPARTMENT OF PUBLIC WORKS  
Dr. Esposito reported that due to the unusual weather last fall, there is a great deal of mulch stored at the Public Works garage. Mr. Maines explained that DPW crews will refine the mulch with a second grind. Following discussion there was agreement to offer excess mulch to residents, who call Public Works to schedule a deliver to their driveways.

**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 26, 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.

Mayor Conley called up Ordinance 2-2012 for second 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

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**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:

**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.

Mayor Conley opened up the public hearing on Ordinance 2-2012. Since no member of the public wished to be heard, the public hearing was closed. Mr. Catalanello moved that Ordinance 2-2012, which the Borough 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 2-2012 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by 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.**

***Tim Harrington, Crossgates Road***, commented on the condition of the roadway on Sampson Avenue and asked when construction will resume on Woodland Road.

***Sam Cerciello, Park Avenue***, asked about repair work to the train trestles by New Jersey Transit. Mr. Cerciello asked about newspaper boxes in front of the Madison Post Office. Mr. Cerciello asked that Council President Tsukamoto step down.

***James Sullivan, Broadview Avenue***, asked why the Sustainable Madison Committee is established by ordinance rather than resolution.

***Carman Pico, North Street***, asked that the Council continue efforts to repair the North Street pump station. Mr. Pico asked that public comments be respectful to Councilmembers.

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**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 May 14, 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 3-2012 ORDINANCE OF THE BOROUGH OF MADISON  
ESTABLISHING THE SUSTAINABLE MADISON ADVISORY COMMITTEE

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Borough of Madison strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the future; and

**WHEREAS**, the Borough of Madison hereby acknowledges that the residents of Madison desire a stable, sustainable future for themselves and future generations; and

**WHEREAS**, the Borough of Madison wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

**WHEREAS**, the Mayor and Council wish to make permanent the Sustainable Madison Advisory Committee; and

**WHEREAS**, the Council has determined that it is in the best interest of the Borough of Madison to establish such a committee.

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

Section 1: The Madison Borough Code is amended to include the following Chapter 26 entitled “Sustainable Madison Advisory Committee”:

Chapter 26: Sustainable Madison Advisory Committee.

SS 26 -1. Establishment.

The Sustainable Madison Advisory Committee is hereby established to be known as “the Sustainable Madison Advisory Committee of the Borough of Madison.” (hereafter referred to as “the Committee”). The Committee shall consist of eleven (11) members.

SS 26 -2. Purpose and Responsibilities.

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- (A) To make recommendations to the Mayor and Council, and Madison Environmental Commission (“MEC”) to help the municipality achieve sustainable smart growth land-use policies which balance economic, environmental and societal needs.
- (B) The Committee will provide education and outreach on sustainability to the community, all Borough Committees, Boards and Commissions, and the Mayor and Council.
- (C) The Committee will encourage the town to reduce its carbon footprint through education and action.
- (D) The Committee will assist the efforts of Borough Boards, Committees and Commissions in their efforts to promote smart land use planning, energy and resource conservation, green design, sustainability, a green element for the Master Plan, and a sustainability plan for the future of the Borough of Madison.
- (E) The Committee will seek grants to achieve these goals.
- (F) The Committee will submit a report to both the MEC as well as the Mayor and Council at the end of each calendar year, concerning on-going activities and grants. . In addition, the Committee shall regularly circulate to the MEC and Mayor and Council copies of its meeting minutes. All records, reports and data shall be available to the Council for inspection at any time.
- (G) The Committee will hold a minimum of six (6) public meetings annually which shall be open to the public pursuant to the Open Public Meetings Act and shall take place at the Madison Municipal Building unless otherwise noted.

### **SS 26 -3. Membership**

Membership shall consist of 9 regular members and 2 non-voting members. All voting members of the Committee shall be residents of the Borough of Madison. All members shall serve without compensation. The Committee shall be comprised of the following persons, appointed by the Mayor with the advice and consent of the Council:

- (A) The Council Liaison to the Madison Environmental Commission (Regular Member),
- (B) The Borough Administrator and/or Assistant Borough Administrator (non-voting),
- (C) A representative from the office of the Superintendent of the Madison Public School System (Regular Member),
- (D) The Superintendent of Public Works (non-voting),
- (E) One (1) member of the Madison Environmental Commission (Regular Member),
- (F) Six (6) members who are residents of the Borough (Regular Members).

The Committee shall have the right to appoint non-voting advisory members with special abilities and expertise beneficial to the Committee’s objectives.

### **SS 26 -4. Voting Powers, Quorum and Limitation of Powers.**

A. Voting members. The voting members of the Committee shall be the 9 regular members.

B. Non-Voting members. The Assistant Borough Administrator and Superintendent of Public Works shall not vote.

C. A majority of the voting members of the Committee shall constitute a quorum.

D. The Committee is specifically prohibited from exercising any power of condemnation or eminent domain, from pledging the credit of the municipality and from creating any debt against the municipality.

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SS 26 – 5. Borough Departmental Assistance.

A. General. Subject to limitations as may hereinafter be determined by the Mayor and Council, insofar as may be practicable, the employees and professional staff of the Borough of Madison, including the Borough Attorney, shall be available to assist the Committee in the performance of its duties.

B. Procedure. All requests for employee or professional staff assistance shall be made through the Borough Administrator. Any project that requires substantial assistance from the Borough staff and professionals shall be reviewed by the full Committee and said assistance shall be approved by the Council prior to commencement of the project.

SS 26 -6. Terms of Office.

(A) The Council liaison shall serve annually.

(B) The six (6) resident members shall serve for a term of three years (staggered terms). The terms of office shall commence upon the day of each member's appointment, unless otherwise specified at the time of appointment, and be for the initial respective periods of one, two, and three years (four two members shall initially be appointed for one year, two members shall initially be appointed for two years and two members for three years). The term of each appointee shall be designated in his or her appointment. All subsequent appointments, except to fill vacancies, shall be for the full three-year term, to take effect on January 1 next succeeding such appointment.

(C) All other members shall serve annually.

(D) The Mayor shall, initially, designate one of the members as Chairperson, and the Committee shall select a Secretary to record minutes. Thereafter, in subsequent years, the Committee shall annually select a Chairperson and Secretary. The Chairperson shall call the initial meeting of the Committee within thirty (30) days of the adoption of this Ordinance. Thereafter, the Committee shall establish its meeting schedule, which shall be duly published.

SS 26 -7. Vacancies

Any vacancy occurring by reason of the death, resignation or removal of any member shall be filled for the unexpired term by the Mayor with advice and consent of the Council. In the event that the Mayor fails to make a nomination at least 15 days prior to the date of the second regular public meeting of the Council after a position becomes vacant or the Borough Council fails to confirm a nomination, then the appointment shall be made by the Borough Council by the vote of a majority of the members present at the meeting, provided that at least three affirmative votes shall be required, with the Mayor to have no vote thereon except in the case of a tie.

SS 26 – 8. Conflict of interest.

A. Disclosure of interest. No Committee Member shall have or shall acquire any interest, direct or indirect, personal or financial, in any project which the Committee is promoting or in any contract or proposed contract for materials or services or in any lease, mortgage, sale or contract of any nature whatsoever relating to any such project or to the Committee without forthwith making written disclosure to the Committee of the nature and extent of the interest. Such disclosure shall be entered in writing upon the minutes of the Committee.

B. Voting. No Committee Member having an interest as described in § SS 26-8A shall vote on matters directly relating to such interest.

Section 2: This ordinance shall take effect as provided by law.

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Mr. Links moved that Ordinance 3-2012, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. Mr. Catalanello asked if it is legally required to establish a committee to apply for grant funds. Mayor Conley suggested discussion continue at the hearing date next meeting. Mr. Links added that he believes an ordinance show commitment. Mrs. Tsukamoto suggested clarification of the relationship between the proposed committee and the Madison Environmental Commission. Mrs. Tsukamoto suggested that members have some expertise in land use, energy conservation, and preservation or grant writing. There was no further 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

**ORDINANCE 4-2012 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$20,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR PURCHASE OF A UTILITY VEHICLE**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$20,000.00 from the General Capital Improvement Fund to purchase a new Workman Utility vehicle and accessories; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$20,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$20,000.00 from the General Capital Improvement Fund to purchase a new Workman Utility vehicle 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:

**SECTION 1:** The amount of \$20,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a new Workman Utility vehicle 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 4-2012, 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

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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.

Mrs. Tsukamoto moved adoption of the Resolutions R 104-2012, R 106-2012 and R 107-2012 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 104-2012 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AGREEMENT WITH THE THURSDAY MORNING CLUB INC. TO PROVIDE PROGRAMS, SERVICES AND MEETING ROOM SPACE FOR MADISON ORGANIZATIONS

**WHEREAS**, since its inception in 1896, the mission of The Thursday Morning Club, Inc. (“TMC”) has been to serve Madison and surrounding communities by carrying on community welfare and social settlement work, among other things;

**WHEREAS**, TMC is a nonprofit entity that owns and operates the Madison Community House located at 25 Cook Avenue, Madison, New Jersey (the “House”); and

**WHEREAS**, TMC has utilized the House in connection with the TMC’s purpose, including “to carry on community welfare and social settlement work,” since 1924 and currently offers a Nursery School program, sponsors the Before and After School Child Care (“BASCC”) Program and conducts after school enrichment classes (“TMC’s current programs”), and provides shop space and office space for Dress for Success of Morris County; and

**WHEREAS**, Madison is in need of community services and programs and requires meeting space for Madison organizations; and

**WHEREAS**, TMC has offered to continue to provide services and programs similar to TMC’s current programs, as well as to provide meeting room space, free of charge, at the House on a “first-come, first-served” basis to more than twenty-five different Madison non-profit organizations, including various civic groups, scout troops, sports/recreation groups and leagues, self-help/self-improvement and educational programs, consistent with its purpose; and

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**WHEREAS**, the proposed cost for these services in 2012 is \$16,000; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$16,000 for the payment of these services in Account 370/215.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are authorized to execute and agreement between The Thursday Morning Club, Inc. and the Borough of Madison for providing the services described herein in a form approved by the Borough Attorney.

R 106-2012 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR PAVING AND STRIPING OF MADISON RECREATION CENTER PARKING LOT UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$95,000.00

**WHEREAS**, the Borough of Madison desires to award a contract for the paving and striping of the parking area at the Madison Recreation Center to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

**WHEREAS**, Tilcon Contracting, Totowa, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract #5; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council utilize this contract for the paving and striping of the parking area at the Madison Recreation Center in an amount not to exceed \$95,000.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$95,000.00 for this purpose in Account C-04-63-106-602.

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

1. A contract for the paving and striping of the parking area at the Madison Recreation Center by Tilcon Contracting of Totowa, New Jersey, at a total price not to exceed \$95,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #5.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Tilcon Contracting of Totowa, New Jersey, for the paving and striping of the parking area

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at the Madison Recreation Center at a total price not to exceed \$95,000.00, in a form acceptable to the Borough Attorney.

R 107-2012 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION R 74-2012 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

**WHEREAS**, Resolution R 74-2012 authorized the Rotary Club of Madison to use public parking lot number one on Saturday, April 21, 2012, between the hours of 11 a.m. and 4 p.m. for a public shredding event; and

**WHEREAS**, the Rotary Club of Madison has requested to change the date of the public shredding event to October 20, 2012; 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 request .

**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 October 20, 2012, between the hours of 11 a.m. and 4 p.m. and subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

Mr. Links left the Council meeting at 9:13 p.m.

Mrs. Tsukamoto moved adoption of the Resolution R 105-2012 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. Catalanello, Mr. Landrigan. Mrs. Vitale

Nays: None

Absent: Mr. Links

R 105-2012 RESOLUTION OF THE BOROUGH OF MADISON APPROVING PROPERTY TAX EXEMPTION STATUS FOR BLOCK 00101, LOT 00023 RETROACTIVE TO MARCH 23, 2012 FOR WARTIME SERVICE-CONNECTED DISABILITY

**WHEREAS**, the owner of a Life Estate interest in Block 101 Lot 23 of the taxing district of the Borough of Madison is a citizen and resident of the State of New Jersey, who served in the United States military in time of war; and

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**WHEREAS**, said owner has been honorably discharged from the United States military and has been found by the United States Department of Veterans Affairs to have a 100% service-connected, permanent disability; and

**WHEREAS**, N.J.S.A. 54:4-3.30 provides that the dwelling house of any citizen of this State, who is honorably discharged from active military service in time of war and is declared to be 100% permanently disabled by the United States Veterans Administration or its successor, shall be exempt from property taxation; and

**WHEREAS**, the Borough Tax Assessor has determined that the property is eligible for the tax exemption beginning March 23, 2012, pursuant to N.J.S.A. 54:4-3.30.

**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 real property at Block 101, Lot 23 is eligible for 100% tax exemption because the owner of the Life Estate interest is a disabled veteran who satisfies the requirements of N.J.S.A. 54:4-3.30 and any property taxes paid after March 23, 2012 shall be refunded.

Mr. Links returned to the Council meeting at 9:15 p.m.

**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	\$28,363.82
Health & Public Assistance	4,486.43
Public Works & Engineering	151,793.45
Community Affairs	6,779.76
Finance & Borough Clerk	207,812.50
Utilities	<u>341,383.46</u>
Total	<u>\$740,619.42</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**

Mayor Conley announces the following appointment and requests Council confirmation:

Zoning Board of Adjustments

**Regular Meeting Minutes – April 9, 2012**

**Susan Niculescu;** 44 Canterbury Road – Alternate #2 member, unexpired term (Northrup) through December 31, 2013

Mrs. Tsukamoto moved confirmation of each of the foregoing appointment. 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

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk