

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

**April 13, 2015 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 13th day of April, 2015. 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 8, 2015. 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:

Robert G. Catalanello  
Robert Landrigan  
Carmela Vitale  
Astri J. Baillie  
Benjamin Wolkowitz  
Patrick W. Rowe

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**

Mr. Landrigan moved:

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

MINUTES FOR APPROVAL (1)

March 9, 2015

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

CONTRACT MATTERS (8)

TESTING AND INSPECTION SERVICES FOR SUBSTATION EQUIPMENT REBID  
ELECTRIC PROCUREMENT UPDATE  
GABEL ASSOCIATES

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HATCH MOTT MACDONALD  
MUSEUM OF EARLY TRADES & CRAFTS LEASE AMENDMENT  
CIVIC CENTER REDEVELOPMENT  
DENVER LINE STRIPING, INC.  
TILCON NEW YORK, INC.

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

PERSONNEL MATTERS (3)  
PART-TIME NON UNION SALARIES  
PART-TIME OFFICE ASSISTANT – DEPT OF PUBLIC WORKS  
FIREFIGHTER

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

Seconded: Mr. Catalanello  
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**

Mr. Wolkowitz moved approval of the **Executive Minutes of March 9, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe  
Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of March 9, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe  
Nays: None

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:  
Free tree seedlings will be available to Madison residents on Monday, April 20, 2015 as part of the New Jersey Tree Recovery Campaign. From 12:00-2:00PM and 5:00-6:00PM residents will be able to pick up tree seedlings at Drew University's Simon Forum & Athletic Center.

**EMPLOYEE OF THE MONTH:**

The Employee of the Month for April is Sara Rafter of the Water and Electric Billing Department for the work she performed on a large, detailed meter project requested by the Water Department and for her courteous and pleasant customer service assistance to Borough residents.

**PROCLAMATION:**

Mayor Conley read a proclamation proclaiming April 2015 as Child Abuse Prevention and Awareness Month.

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*Proclamation  
of the  
Borough of Madison  
Proclaiming  
Child Abuse Prevention and Awareness Month  
April 2015*

**WHEREAS**, the maltreatment, abuse and neglect of children is a significant social problem that damages children physically, mentally and emotionally and inflicts immeasurable harm on society as a whole and all children deserve to be nurtured, protected and free from physical or emotional harm; and

**WHEREAS**, the State of New Jersey and the New Jersey Department of Children and Families believe that the best place to raise children is among strong, healthy families; and

**WHEREAS**, the State of New Jersey is committed to building a continuum of community-based child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered and that achieve positive outcomes for parenting and family relationships, as well as empower domestic violence victims and their children; and

**WHEREAS**, the New Jersey Department of Children and Families embraces the Standards for Prevention Programs developed by the New Jersey Task Force on Child Abuse and Neglect; and

**WHEREAS**, all sectors of the community, including law enforcement, medical professionals, schools, courts and media outlets, as well as numerous public and private agencies, have joined forces to promote public awareness and community involvement in strengthening families during the month of April and continuing throughout the year;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim April 2015 as ***Child Abuse Prevention and Awareness Month*** and urge our residents to become involved in efforts aimed at strengthening families and communities and preventing our children from being abused and neglected.

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**Robert H. Conley, Mayor**

April 13, 2015

**CERTIFICATE PRESENTATION:**

Mayor Conley presented a certificate of recognition to Madison High School junior Santi Arango for winning the District 10 Wrestling Championship at 220 lbs and for being named to the First Team Northwest Jersey Athletic Conference Liberty Division.

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### **REPORTS OF COMMITTEES**

#### **Community Affairs**

Ms. Baillie, Chair of the Committee, made the following comments: Annual May Day events are scheduled for Saturday, May 2<sup>nd</sup>, and any resident who wishes to participate should contact Lisa Ellis of the Downtown Development Commission. The first annual Madison Avenue Challenge, a softball game between students at Drew and Fairleigh Dickenson Universities, will be played Thursday, April 23<sup>rd</sup> at Dodge Field. The annual Madison Little League Parade will take place Saturday April 18<sup>th</sup> along with the Spring Sale Days event in the Downtown. The Chamber of Commerce will hold a Home Expo at the Community Center on Saturday April 25<sup>th</sup> to showcase local contractors. A resolution is listed for approval to hold the annual Farmers' Market at a new location on Central Avenue This location will better provide for parking and senior accessibility, as well as more space for vendors. The Drew University Civic Engagement Center will recognize Mayor Conley and Assistant Borough Administrator Jim Burnet for their efforts with Civic Scholars. One hundred twenty seniors took advantage of the invitation to Madison High School's annual Dinner & Dress Rehearsal Performance of "Les Miserables" on March 25. Representatives from NORWESCAP/RSVP met with the Telephone Reassurance volunteers on April 7<sup>th</sup> to review plans for streamlining client reports for faster access to resources. The Madison Cub Scouts will be visiting the Civic Center after school on Wednesday, April 15<sup>th</sup> to clean up the parking lot area as part of a community service project. The Friends of the Madison Senior Center are hosting an Annual Spring Luncheon on Wednesday, April 22<sup>nd</sup> to honor the eleven AARP Tax Aide and Senior Health Insurance Program volunteers.

#### **Public Safety**

Mr. Catalanello, Chair of the Committee, made the following comments: The Madison Fire Department reminds resident to install carbon monoxide detectors in their homes. In the first three months of 2015, the Fire Department reports responding to 357 incidents and 109 investigation, as well as 159 EMS calls. The Madison Police responded to 3,580 calls for service during the month of March including 46 motor vehicle crashes, 395 motor vehicle stops, 253 summonses, 17 arrests and 136 radar posts. Madison officers handled 90 alarm activations during the month of March, officers investigated 11 suspicious incidents/occurrences, 27 suspicious motor vehicles and 22 suspicious persons. Madison officers also investigated 4 acts of domestic violence, 4 thefts and 3 harassment complaints. Officers investigated 3 local ordinance violations, 3 juvenile complaints, 3 burglaries, 2 simple assaults, 2 intoxicated persons and 2 identity thefts. Training continues with monthly regional ESU training, Identifying Concealed Drug Compartments training, Supervision and Mentoring, Critical Incident Debriefing and Internet Security and Cyber Bullying training.

#### **Utilities**

Mrs. Vitale, Chair of the Committee, made the following comments: The Electric Department staff has install cable for temporary light poles at the train station, due to faulty underground wires, and has began transformer bank installation at 39 Green Village Road. They continue to do line clearance, maintenance and service upgrades. Madison will be proudly celebrating Memorial Day this year on Monday, May 25<sup>th</sup>. Ceremonies will begin at 9:15 a.m. Mrs. Vitale invited all to attend.

#### **Finance and Borough Clerk**

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

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The Municipal Budget hearing is scheduled for later this evening, and Mr. Landrigan will present his comments.

### **Health**

Mr. Wolkowitz of the Committee made the following comments:

The Madison Health Department is currently working on objectives for the Emergency Management response goals for their strategic plan and will be reaching out to various groups for assistance. A Women's Health Screening clinic, including a comprehensive check up for women, will be held Wednesday, May 6<sup>th</sup>.

Appointments are necessary and may be made by calling the Health Department beginning on April 9<sup>th</sup>.

### **Public Works and Engineering**

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

The Public Works Department staff has completed initial work on the playing fields and continues to focus attention on Madison's numerous potholes. The Ridgedale Avenue Reconstruction project will be advertised this week. The bid opening is scheduled for Thursday, May 14, 2015 at 10 a.m. The Waverly Place parking lot plans will be advertised next week. Both projects are expected to be complete this summer. Quotes have been assembled for the six Milling and Overlay projects identified in the 2015 Capital Budget and survey work continues for next year's road projects. Contractor and material vendor request for quotes have been sent for the drainage and turf replacement work on the Memorial Park sports field and skating rink, and an update of the Memorial Park Wetland Letter of Interpretation is being assembled by Ecolscience, Inc., environmental specialists for submission this summer. A Cooperative Pre-Bid Purchasing Network, KPN, has been identified for sports lighting equipment for the Basketball courts at Dodge Field. The Engineer is working with Madison Jr. Football and Lacrosse clubs, regarding a donated scoreboard for the Madison Recreation Complex, to coordinate the infrastructure connections and the installation by the Electric and Public Works departments. The application to the Morris County Historic Preservation Trust fund was delivered to the County this week prior to the official deadline of April 27<sup>th</sup>. A second Letter of Intent has been submitted to the State of New Jersey 2016 Historic Preservation Fund, anticipating that Madison may be able to receive some funding for the project from the state's fund.

### **BUDGET HEARING**

Mayor opens the meeting to the public for their opportunity to ask questions and make comments on the proposed municipal budget.

**Thomas Bintinger; Rolling Hills Court**, complimented the Council and Administration for their efforts on the proposed municipal budget noting that this year's budget is consistent, stable and predictable. Mr. Bintinger also noted that the Strategic Planning Committee will provide a final report to Council soon and hopes that suggested guidelines are adopted formally.

### **R 108-2015 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING THE 2015 BUDGET AND TAX RESOLUTION**

Mr. Landrigan moved that Resolution R 108-2015, which Mayor Conley read by title, be finally adopted. Mr. Wolkowitz seconded the motion.

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Mr. Landrigan stated that the proposed budget is one that the Borough can be proud of and acknowledged the hours of work by the Administration, CFO and Strategic Planning Committee. Mr. Landrigan noted that resident feedback was used to develop the budget and all municipal services will be maintained. Mr. Landrigan also noted that only nineteen municipalities in New Jersey have a similar AAA bond rating. Mr. Rowe thanked CFO Robert Kalafut for the preparation of the budget and noted that the budget is outside the suggested Strategic Planning Committee guidelines that recommend further capital spending. Mr. Rowe stated that the Council needs to work with the Strategic Planning Committees. Ms. Baillie noted that the introduction was unanimous and all services will be maintained. Ms. Baillie also noted additional staff for both the Police and Fire Departments. Mrs. Vitale noted that she is proud of the proposed budget and Mr. Wolkowitz stated that the strategic planning committees are still at work on guidelines, noting the abundant talent in Madison.

There was no further Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

### **COMMUNICATIONS AND PETITIONS**

None

### **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**

**04/13/2015-1** COUNCIL ON AFFORDABLE HOUSING (COAH) UPDATE  
James Bruno, Esq. and Greg Castano, Esq. joined the Council meeting to provide an update on a recent Supreme Court ruling, noting that the courts have now taken away any protection from builder's remedies. Mr. Bruno noted that after June 8<sup>th</sup> municipalities can petition the court and until then recommends proceeding diligently with the Borough's obligations, and continue to do the best to create affordable housing. Louis Riccio, Executive Director, Housing Authority of the Borough of Madison, noted that Madison has been good at using trust funds and establishing affordable housing.

### **04/13/2015-2** ORDINANCE PROHIBITING UNREGULATED PIPELINES IN ALL ZONING DISTRICTS

Ms. Baillie provided explanation of a proposed ordinance to prohibit unregulated pipelines in all zoning districts to give a measure of safety to the municipality. Mr. Giacobbe noted that an ordinance may persuade an entity into looking at other

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municipalities that do not have prohibited zoning rules.

Ordinance 28-2015 is listed for Introduction.

**04/13/2015-3** AMEND SIDEWALK REPLACEMENT PERMIT FEES  
Borough Engineer Robert Vogel noted the recommendation to amend the Borough Code to reduce the permit application fees to a nominal amount of \$50.00 for residential applicants falling under the Municipal Partial Reimbursement Program. There was agreement to list an ordinance for introduction.

Ordinance 31-2015 is listed for Introduction.

**ADVERTISED HEARINGS**

The Clerk made the following statement:

Ordinance 12-2015 scheduled for hearing was introduced by title and passed on first reading at a regular meeting of the Council held on Monday, March 9, 2015; all other ordinances scheduled for hearing were introduced by title and passed on first reading at a regular meeting of the Council held Monday, March 23, 2015; all were posted and filed according to law, and copies were made available to the general public requesting same.

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

**ORDINANCE 12-2015  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER  
15 OF THE MADISON BOROUGH CODE ENTITLED “DOWNTOWN  
DEVELOPMENT COMMISSION”**

**WHEREAS**, the Madison Downtown Development Commission has recommended revision of Chapter 15 of the Borough Code Entitled: “Downtown Development Commission”; and

**WHEREAS** the Borough Council has determined to revise Chapter 15 of the Borough Code.

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

**SECTION 1:** Chapter 15 of the Borough Code entitled “Downtown Development Commission” is hereby amended as follows:

§15-2 A. **Numbers of Members.** Membership shall consist of nineteen (19) regular members, one (1) advisory/alternate member, and one (1) ex-officio member.

§15-2 B (4). Merchant, Commercial Property Landlord and/or Business Owner; four (4) regular members: These members shall be either an owner or tenant merchant operating a business that is based in Madison and/or an owner (landlord) of commercial property within the Downtown District.

§15-2 B(5). Organizational Representatives; seven (7) regular members: These members shall represent the views of major organizations important to the Madison Community.

§15-2 B(8). Ex-Officio Member; one (1) member: who shall be the Assistant Borough Administrator or other Borough Employee.

§15-2 C The Mayor, Council Liaison and all regular members of the Commission, except the ex-officio member shall exercise voting power (19 members). The advisory member may participate in discussions but may not vote except in the absence of or disqualification of a regular member.

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Add:

§15-2 B (5) vii. Arts; one (1) representative who shall be a member of the Madison Arts & Culture Alliance or other arts related organization based in the Madison area.

SECTION 2: This Ordinance shall take effect as provided by law.

Mayor Conley opened up the public hearing on Ordinance 12-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 12-2014, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Mayor Conley declared Ordinance 12-2014 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.

**ORDINANCE 13-2015  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$10,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST FUND FOR  
PROFESSIONAL SERVICES FOR THE RESTORATION AND  
RENOVATION FO THE EAST WING OF THE HARTLEY DODGE  
MEMORIAL BUILDING**

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to restore and renovate the East Wing of the Hartley Dodge Memorial Building; and

**WHEREAS**, the Open Space Advisory Committee has recommended the full funding of the request; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$10,000.00 from the Municipal Open Space Trust Fund for professional services associated with the restoration and renovation of the East Wing of the Hartley Dodge Memorial Building; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$10,000.00 for this purpose in the Municipal Open Space Trust Fund.

**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 \$10,000.00 is hereby appropriated from the Municipal Open Space Trust Fund for professional services associated with the restoration and renovation of the East Wing of the Hartley Dodge Memorial Building.

SECTION 2: This Ordinance shall take effect as provided by law.

Mayor Conley opened up the public hearing on Ordinance 13-2014. Since no member of the public wished to be heard, the public hearing was closed.



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Ms. Baillie moved that Ordinance 13-2014, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Mayor Conley declared Ordinance 13-2014 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.

**ORDINANCE 14-2015  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$75,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST FUND TO  
RESURFACE AND REPAIR THE SKATING RINK AND PLAYING FIELDS  
AT MEMORIAL PARK**

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to resurface and repair the skating rink and playing fields at Memorial Park; and

**WHEREAS**, the Open Space Advisory Committee has recommended the full funding of the request; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$75,000.00 from the Municipal Open Space Trust Fund to resurface and repair the skating rink and playing fields at Memorial Park; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$75,000.00 for this purpose in the Municipal Open Space Trust fund.

**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 \$75,000.00 is hereby appropriated from the Municipal Open Space Trust Fund to resurface and repair the skating rink and playing fields at Memorial Park.

SECTION 2: This Ordinance shall take effect as provided by law.

Mayor Conley opened up the public hearing on Ordinance 14-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 14-2014, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Mayor Conley declared Ordinance 14-2014 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.

**ORDINANCE 15-2015  
ORDINANCE OF THE BOROUGH OF MADISON REPLACING  
ORDINANCE 1-2014 PERTAINING TO PART-TIME NON-UNION  
SALARIES AND OFFICES**

**WHEREAS**, certain changes are required in the salary ranges for non-union part-time employees;

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

Section 1. Ordinance 1-2014 is hereby replaced by this ordinance in order to change the salary ranges for certain non-union, part-time employees, as follows:

<b>POSITION</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Assistant to Senior Center Director	\$8.38/hr	\$16.00
Clerk Part-time	\$8.38/hr	\$16.00
Community Service Officer	\$8.38/hr	\$17.12
Custodian, Part-Time	\$15.00/hr	\$24.00
Deputy Court Administrator, Part-Time	\$21.75/hr \$8.38/hr	\$33.50
Dog and Cat Census Taker		\$15.00
Electrical Subcode Official/Electrical Inspector	\$24,500.00/yr	\$50,000.00
Housing Officer	\$1.00/yr	\$1.00/yr
Intern	\$8.38/hr	\$22.00
Laborer Part-Time	\$8.38/hr	\$18.00
Magistrate Municipal Court	\$16,377.00/yr	\$125,000.00
Meter Reader, Part-Time	\$8.38	\$20.00
Municipal Housing Liaison	\$1.00/yr	\$1.00/yr
Nature Director	\$1,100.00/program	\$3,500.00
Nature Director, Assistant	\$950.00/program	\$2,000.00
Nature Counselor	\$100.00/program	\$1,500.00
Office Assistant I, Part Time	\$14.00/hr	\$21.47
Office Assistant Part-time	\$8.38/hr	\$18.00
Playground Supervisor	\$8.38/hr	\$13.50
Plumbing Subcode Official/Plumbing Inspector	\$24,500.00/yr	\$50,000.00
Police Matron	\$8.38/hr	\$15.60
Program Assistant	\$8.38	\$16.00
Program Director	\$8.38	\$22.00
Part-Time Recreation Director	\$15.00/hr	\$28.00

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School Crossing Guard	\$8.38/hr	\$18.31
Sidewalk Sweeper	\$8.38/hr	\$16.00
Skate Supervisor	\$8.38/hr	\$16.00
Special Police	\$8.38/hr	\$30.00
Part-Time Building Inspector	\$15.00/hr	\$43.00
Van Driver	\$8.38/hr	\$18.00
Zoning Officer	\$1.00/yr	\$15,000.00

Section 2. This ordinance shall be effective January 1, 2015.

Mayor Conley opened up the public hearing on Ordinance 15-2014. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Landrigan moved that Ordinance 15-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe  
Nays: None

Mayor Conley declared Ordinance 15-2014 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.

**ORDINANCE 16-2015  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER  
166 OF THE BOROUGH CODE ENTITLED ‘STREETS AND SIDEWALKS’  
TO AMEND THE SIDEWALK REIMBURSEMENT PROGRAM**

**WHEREAS**, the Borough Engineer has recommended that the Borough Code regarding sidewalk maintenance be amended; and

**WHEREAS**, the Borough Council has determined that there is a need to approve such amendment.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Chapter 166 of the Borough Code entitled “Streets and Sidewalks,” Sections 166-34 and 166-35 shall be amended as follows:

**SECTION 1:**

**§ 166-34. Construction of sidewalks; municipal partial reimbursement program.**

- A. . . . .
- D. Upon final approval of the Borough Engineer, a residential property owner may apply to the Borough for partial reimbursement of the

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cost of replacement of an existing sidewalk or construction of a new sidewalk on land abutting a public street. The reimbursement shall be \$25 per square yard. The reimbursement shall apply to sidewalk installation only and shall not apply to ancillary work such as landscaping, lawn sprinklers and electronic dog fences. The property owner shall submit to the Borough Engineer all bills associated with the project as well as evidence of payment to the contractor. The Borough Council shall appropriate an amount annually for this program, and the reimbursements will be paid up to the annual limit to those who file first in time.

SECTION 2: All other provisions of the Ordinance not inconsistent herewith shall remain the same.

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

Mayor Conley opened up the public hearing on Ordinance 16-2014. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 16-2014, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Mayor Conley declared Ordinance 16-2014 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.

**ORDINANCE 17-2015**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$150,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
SEWER LINING IMPROVEMENTS**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$150,000.00 from the General Capital Improvement Fund for sewer lining improvements, sewer main repairs, INI reduction and related work; 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 \$150,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$150,000.00 from the General Capital Improvement Fund for sewer lining improvements, sewer main repairs, INI reduction and related work.

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 \$150,000.00 is hereby appropriated from the General Capital Improvement Fund for sewer lining improvements, sewer main repairs, INI reduction and related work.

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 17-2014. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 17-2014, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe  
Nays: None

Mayor Conley declared Ordinance 17-2014 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.

**ORDINANCE 18-2015  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$663,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
MILLING AND OVERLAY OF VARIOUS STREETS**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$663,000.00 from the General Capital Improvement Fund for milling and overlay of various Borough Streets, including Morris Place, Danforth Road, Sherwood Avenue, Longview Avenue, Candlewood Drive, and Fox Chase Road, parking lot and sidewalk improvements and related work; 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 \$663,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$663,000.00 from the General Capital Improvement Fund for milling and overlay of various Borough Streets, including Morris Place, Danforth Road, Sherwood Avenue, Longview Avenue, Candlewood Drive, and Fox Chase Road, parking lot and sidewalk improvements and related work.

**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 \$663,000.00 is hereby appropriated from the General Capital Improvement Fund for the milling and overlay of various Borough Streets, parking lot and sidewalk improvements and related work.

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 18-2014. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 18-2014, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Mayor Conley declared Ordinance 18-2014 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.**

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:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of April 27, 2015 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 19-2015    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$11,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF FOUR (4) SETS OF  
FIREFIGHTING TURNOUT GEAR

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**WHEREAS**, the Fire Chief has recommended that the Borough appropriate \$11,000.00 from the General Capital Improvement Fund to purchase four (4) sets of turnout gear for use by the Fire Department; 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 \$11,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$11,000.00 from the General Capital Improvement Fund to purchase four (4) sets of turnout gear.

**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 \$11,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase four (4) sets of turnout gear.

**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. Catalanello moved that Ordinance 19-2015, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

**ORDINANCE 20-2015    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$10,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF A THERMAL IMAGING  
CAMERA**

**WHEREAS**, the Fire Chief has recommended that the Borough appropriate \$10,000.00 from the General Capital Improvement Fund for the purchase of a thermal imaging camera for use by the Fire Department; 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 \$10,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$10,000.00 from the General Capital Improvement Fund for the purchase of a thermal imaging camera.

**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 \$10,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a thermal imaging camera.

**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.

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Mr. Catalanello moved that Ordinance 20-2015, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 21-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATION \$180,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF A TRUCK WITH  
ACCESSORIES FOR THE ROAD DEPARTMENT

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$180,000.00 from the General Capital Improvement Fund to purchase a one-ton dump truck with accessories for the Public Works Department; 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 \$180,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$180,000.00 from the General Capital Improvement Fund to purchase a one-ton dump truck with accessories for the Public Works Department.

**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 \$180,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a one-ton dump truck with accessories for the Public Works Department.

**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. Rowe moved that Ordinance 21-2015, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 22-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATION \$120,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF TWO (2) TRUCKS WITH  
ACCESSORIES

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$120,000.00 from the General Capital Improvement Fund to purchase two (2) pick-up trucks with accessories for the Public Works Department; and



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**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 \$120,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$120,000.00 from the General Capital Improvement Fund to purchase two (2) pick-up trucks with accessories for the Public Works Department.

**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 \$120,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase two (2) pick-up trucks with accessories for the Public Works Department.

**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. Rowe moved that Ordinance 22-2015, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

**ORDINANCE 23-2015    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$85,000.00 FROM THE WATER CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF A SKID STEER WITH  
ATTACHMENTS FOR THE WATER DEPARTMENT**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$85,000.00 from the Water Capital Improvement Fund to purchase a skid steer with attachments for the Water Department; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$85,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$85,000.00 from the Water Capital Improvement Fund to purchase a skid steer with attachments for the Water Department.

**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 \$85,000.00 is hereby appropriated from the Water Capital Improvement Fund to purchase a skid steer with attachments for the Water Department.

**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. Rowe moved that Ordinance 23-2015, 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:

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Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 24-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$60,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF A NEW PUMP IN THE  
SEWER DEPARTMENT

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$60,000.00 from the General Capital Improvement Fund to purchase a new pumps with attachments for the Sewer Department; 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 \$60,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$60,000.00 from the General Capital Improvement Fund to purchase a new pumps with attachments for the Sewer Department.

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

**SECTION 1:** The amount of \$60,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a new pumps with attachments for the Sewer Department.

**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. Rowe moved that Ordinance 24-2015, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 25-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$32,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE F A HOT BOX FOR THE  
ROAD DEPARTMENT

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$32,000.00 from the General Capital Improvement Fund to purchase a Hot Box for the Public Works Department; 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 \$32,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$32,000.00 from the General Capital Improvement Fund to purchase a Hot Box for the Public Works Department.

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**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 \$32,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a Hot Box for the Public Works Department.

**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. Rowe moved that Ordinance 25-2015, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 26-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$10,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF A CRIMPING  
MACHINE FOR THE MECHANICAL SERVICES DEPARTMENT

**WHEREAS,** the Superintendent of Public Works has recommended that the Borough appropriate \$10,000.00 from the General Capital Improvement Fund to purchase a Crimping Machine for the Public Works Department; 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 \$10,000.00 for this purpose; and

**WHEREAS,** the Borough Council has determined that the Borough should appropriate \$10,000.00 from the General Capital Improvement Fund to purchase a Crimping Machine for the Public Works Department.

**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 \$10,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a Crimping Machine for the Public Works Department.

**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. Rowe moved that Ordinance 26-2015, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

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**ORDINANCE 27-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$10,000.00 FROM THE WATER CAPITAL  
IMPROVEMENT FUND FOR WELL UPGRADES**

**WHEREAS**, the Superintendent of Public Works has recommended that the Borough appropriate \$10,000.00 from the Water Capital Improvement Fund for various Well upgrades; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$10,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$10,000.00 from the Water Capital Improvement Fund for various Well upgrades.

**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 \$10,000.00 is hereby appropriated from the Water Capital Improvement Fund for various Well upgrades in the Water Department.

**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. Rowe moved that Ordinance 27-2015, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

**ORDINANCE 28-2015 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 195-5, TITLED “PROHIBITED USES”, OF THE  
LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF MADISON  
PROHIBITING UNREGULATED PIPELINES IN ANY ZONING DISTRICT**

**WHEREAS**, certain pipelines are not public utilities that distribute services to end users and are unregulated by the State of New Jersey Board of Public Utilities; and

**WHEREAS**, these pipelines are designed to transport a variety of materials, including hazardous substances which, if a discharge occurred, result in environmental degradation to the environment, including the land, water and air; and

**WHEREAS**, these pipelines do not directly provide the public with necessities, such as electricity, gas, telephone, water or wastewater service; and

**WHEREAS**, these pipelines may pose a threat to the infrastructure that provides these public utility services; and

**WHEREAS**, these pipelines are not public utilities that distribute services to end users and are unregulated by the Board of Public Utilities, there is limited accountability to the public; and

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**WHEREAS**, the Madison Borough Council believes that it is in the best interest of the health and welfare of its residents that Chapter 195-5 of the Land Development Ordinance of the Borough of Madison, titled “Prohibited Uses”, be clarified to provide that pipelines that are not public utilities that distribute services to end users and are unregulated by the Board of Public Utilities are specifically prohibited within the Borough of Madison.

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

**SECTION 1:** Chapter 195-5 of the Land Development Ordinance of the Borough of Madison, titled “Prohibited Uses”, is hereby amended by adding (b) as follows:

195-5 Prohibited Uses

- a. Following the effective date of this Chapter, the establishment of any use not expressly permitted by this Chapter shall be prohibited.
- b. Pipelines that are not public utilities that distribute services to end users and are unregulated by the State of New Jersey Board of Public Utilities are prohibited in all zone districts.

**SECTION 2:** The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities.

The Borough Clerk shall execute Affidavits of Proof of Service of the notices required by this section, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

**SECTION 3:** After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Madison for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**SECTION 4:** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 5:** All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6:** This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Ms. Baillie moved that Ordinance 28-2015, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 29-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$40,000.00 FROM THE ELECTRIC CAPITAL  
IMPROVEMENT FUND FOR THE PURCHASE OF A PICK-UP TRUCK  
AND RELATED EQUIPMENT

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$40,000.00 from the Electric Capital Improvement Fund for the purchase of a new pick-up truck and related equipment; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$40,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$40,000.00 from the Electric Capital Improvement Fund for the purchase of a new pick-up truck and related equipment.

**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 \$40,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of a new pick-up truck and related equipment.

**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.

Mrs. Vitale moved that Ordinance 29-2015, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 30-2015 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$120,000.00 FROM THE ELECTRIC CAPITAL  
IMPROVEMENT FUND FOR THE CONSTRUCTION OF A POLE BARN  
AND ADDITIONAL RELATED ITEMS

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$120,000.00 from the Electric Capital Improvement Fund for the purchase of a pole barn for storage at the Water and Light Plant; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$120,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$120,000.00 from the Electric Capital Improvement Fund for the purchase of a pole barn for storage at the Water and Light Plant.

**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 \$120,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of a pole barn for storage at the Water and Light Plant.

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.

Mrs. Vitale moved that Ordinance 30-2015, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 31-2015 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 166 OF THE BOROUGH CODE ENTITLED  
'STREETS AND SIDEWALKS' TO REDUCE SIDEWALK REPLACEMENT  
PERMIT FEES

Mr. Rowe moved that Ordinance 31-2015, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

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. Mr. Catalanello seconded the motion. Ms. Baillie abstained from voting on Resolution R 127-2015 and Mr. Rowe voted Nay with regard to Resolution R 126-2015. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

R 109-2015 RESOLUTION OF THE BOROUGH OF MADISON  
SETTING SALARIES FOR PART-TIME NON-UNION PERSONNEL

**BE IT RESOLVED**, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that the following annual salary or rate of wages be granted to employees filling the following part-

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time positions, retroactive to January 1, 2015, the same being within the minimum and maximum limitations established by Ordinance 15-2015.

**BE IT FURTHER RESOLVED** that the school crossing guard salaries are contingent upon and subject to the terms of an annual employment agreement regarding attendance and punctuality.

**R 110-2015 RESOLUTION OF THE BOROUGH OF MADISON  
AUTHORIZING SUPERHERO EVENTS TO HOLD A 5K RUN AT  
GIRALDA FARMS ON SUNDAY, OCTOBER 18, 2015**

**WHEREAS**, Superhero Events, LLC has requested permission to use portions of Danforth Road and Madison Avenue in connection with a 5k run at Giralda Farms; and

**WHEREAS**, the Police Traffic Safety Officer recommends approval of this request; and

**WHEREAS**, Superhero Events, LLC 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 Superhero Events, LLC is hereby granted permission to use portions of Danforth Road and Madison Avenue in connection with the 5k Run to be conducted on Sunday, October 18, 2015, between the hours of 9:00 a.m. and 12:00 p.m. subject to the condition that Superhero Events, LLC reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

**R 111-2015 RESOLUTION OF THE BOROUGH OF MADISON  
APPROVING THE PERSON-TO-PERSON TRANSFER OF PLENARY  
RETAIL CONSUMPTION LICENSE NUMBER 1417-33-024-008**

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1417-33-024-008 heretofore issued to PLAZA LANES, Inc., t/a Plaza Lanes, for premises located at 53 Madison Plaza, Madison, NJ 07940, to NJ ENTERTAINMENT, LLC., 53 Madison Plaza, Madison, NJ 07940; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;



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**NOW, THEREFORE BE IT RESOLVED** that the Borough of Madison Governing Body does hereby approve, effective immediately, the Person-to-Person transfer of the aforesaid Plenary Retail Consumption license from PLAZA LANES, INC., 53 Madison Plaza, Madison, NJ 07940, to NJ ENTERTAINMENT, LLC., 53 Madison Plaza, Madison, NJ 07940, and does hereby direct the Borough Clerk to endorse the license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to NJ Entertainment, LLC., 53 Madison Plaza, Madison, NJ 07940 effective April 13, 2015.

**R 112-2015 RESOLUTION OF THE BOROUGH OF MADISON  
REJECTING BID FOR THE PURCHASE OF PREVENTIVE  
MAINTENANCE, TESTING AND INSPECTION SERVICES FOR JAMES  
PARK AND KINGS ROAD ELECTRICAL SUBSTATION DISTRIBUTION  
EQUIPMENT**

**WHEREAS**, the Borough of Madison publicly advertised for bids for the purchase of Preventive Maintenance, Testing and Inspection Services for James Park and Kings Road Electrical Substation Distribution Equipment (“Electrical Inspection”) in accordance with Local Public Contract Law N.J.S.A. 40A:11 et seq.; and

**WHEREAS**, the Borough received two bids for the work; and

**WHEREAS**, the Borough of Madison held a “responsibility hearing” on March 9, 2015 to determine if Longo Electrical-Mechanical was the lowest responsible bidder; and

**WHEREAS**, the finding of the committee, as set forth in the attached letter (Exhibit A), determined that Longo Electrical-Mechanical was not a responsible bidder; and

**WHEREAS**, the Borough governing body hereby concludes that the apparent low bidder does not meet the statutory criteria to be determined a “responsible” bidder as outlined above.

**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. The bid of Longo Electrical-Mechanical, Inc. is hereby rejected for the reason set forth above.

**R 113-2015 RESOLUTION OF THE MADISON BOROUGH COUNCIL  
AWARDING THREE-YEAR CONTRACT TO AMERICAN ELECTRICAL TESTING  
FOR TESTING AND MAINTENANCE OF KINGS ROAD AND JAMES PARK  
SUBSTATIONS IN THE AMOUNT OF \$141,756.38**

**WHEREAS**, the Borough of Madison publicly advertised for bids for testing and maintenance of the Kings Road and James Park electric substations for a period of three years (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the only qualified bid was submitted by American Electrical Testing in the amount of \$141,756.38; and

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**WHEREAS**, the Qualified Purchasing Officer and the Electric Utility Superintendent have recommended that the Borough Council award the contract to American Electrical Testing in the amount of \$141,756.38; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in 2015 in an amount not to exceed \$85,000.00 for this purpose which funds are available in the Electric Department Operating Budget, Account 9502, Subaccount 215; and

**WHEREAS**, the second and third years of the contract are expressly contingent upon adequate appropriation of funding for said purpose in the 2016 and 2017 municipal budgets.

**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. The contract for testing and maintenance of the Kings Road and James Park electric substations for a period of three years is hereby awarded to American Electrical Testing as the lowest responsible bidder and based upon its bid in the amount of \$141,756.38.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with American Electrical Testing in a form acceptable to the Borough Attorney.

R 114-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO HATCH MOTT MACDONALD, INC. OF MILLBURN, NJ FOR ADDITIONAL ENVIRONMENTAL AND SITE IMPROVEMENT PROJECT AT BAYLEY ELLARD RECREATIONAL FIELDS IN THE AMOUNT NOT TO EXCEED \$10,000.00

**WHEREAS**, the Borough Administrator has recommended that the Borough obtain additional professional services from Hatch Mott MacDonald, Inc. for the NJDEP remediation and improvement project at the Bayley Ellard recreational fields; and

**WHEREAS**, said services would constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5; and

**WHEREAS**, the Borough Engineer has previously determined and certified in writing that the value of this revised contract will exceed \$17,500.00; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the Contract to Hatch Mott MacDonald, Inc. in an additional amount not to exceed \$10,000.00, for the NJDEP remediation and improvement project at the Bayley Ellard recreational fields; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed an additional amount of \$10,000.00 for this purpose, from Appropriation Ordinance 31-2013.

**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. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract for additional professional site remediation services with Hatch Mott MacDonald, Inc., for the

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NJDEP remediation and improvement project at the Bayley Ellard recreational fields in a total amount not to exceed \$44,000.00, such contract to be in a form approved by the Borough Attorney.

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

R 115-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE SHAKESPEARE THEATRE OF NEW JERSEY, INC. TO CONDUCT AN OFF-PREMISE MERCHANDISE RAFFLE ON SUNDAY, JANUARY 3, 2016

**WHEREAS**, N.J.S.A. 5:8-1 et seq. and N.J.A.C. 13:47-1.1 et seq. prohibit the conducting of games of chance on Sunday unless specifically authorized by a duly adopted municipal ordinance; and

**WHEREAS**, on March 8, 1982, the Council of the Borough of Madison adopted Ordinance No. 5-82 to allow the Council, by resolution, to permit qualified organizations to conduct games of chance on Sunday; and

**WHEREAS**, the New Jersey Legalized Games of Chance Control Commission has issued Registration Identification No. 274-5-32247 to The Shakespeare Theatre Of New Jersey, Inc.; and

**WHEREAS**, an Application for Raffles License, together with all necessary documents and fees, has been submitted to the Madison Borough Clerk's Office by The Shakespeare Theatre Of New Jersey, Inc. to conduct an Off-Premise Merchandise Raffles Game on Sunday, January 3, 2016 at the F. M. Kirby Shakespeare Theatre, 36 Madison Avenue, Madison;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the aforementioned Application for Raffles License, R.A. No. 1344, to be held as listed above, be and the same is hereby approved.

R 116-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING LORETTA CERUTTI TO THE POSITION OF OFFICE ASSISTANT I, PART-TIME

**WHEREAS**, the Superintendent of Public Works recommends the appointment of Loretta Cerutti to the position of Office Assistant I, Part Time, in the Department of Public Works, effective immediately; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account 300-110, in the 2015 Department of Public Works budget; and

**WHEREAS**, the 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 Loretta Cerutti is hereby appointed to the position of Office Assistant I, Part Time, effective immediately; and

**BE IT FURTHER RESOLVED**, that Loretta Cerutti be compensated at the hourly rate of \$12.00 per hour for twenty-nine (29) hours per week.

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**R 117-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE FARMERS' MARKET FOR 2015**

**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 Central Avenue between Main Street and Cook Avenue from Thursday, June 4, 2015 to October 15, 2015; 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 Central Avenue between Main Street and Cook Avenue from Thursday, June 4, 2015 to October 15, 2015.

2. The Farmers' Market shall be conducted in accordance with the 1993 "Guidelines for Madison's Farmers' Market", as amended, 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.

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;

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 118-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR CHAMBER OF COMMERCE HOME EXPO EVENT**

**WHEREAS**, the Madison Chamber of Commerce has requested permission to put up temporary signs advertising a Home Expo on April 25, 2015; and

**WHEREAS**, the signs would be located on public property to promote the event, commencing on April 14, 2015 and removed by April 26, 2015; and

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**WHEREAS**, the Assistant Borough Administrator has recommended that a temporary sign permit be issued.

**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 request of the Madison Chamber of Commerce to put up temporary signs as described herein from April 14, 2015 to April 26, 2015, is approved.

R 119-2015 RESOLUTION OF THE BOROUGH OF MADISON  
AUTHORIZING MEMBERSHIP IN THE KEYSTONE PURCHASING  
NETWORK (KPN)

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Keystone Purchasing Network, hereinafter referred to as the “KPN” has offered voluntary participation in a Cooperative Pricing System for purchase of goods and services; and

**WHEREAS**, on April 13, 2015, the governing body of the Borough of Madison, County of Morris, State of New Jersey duly considered participation in the Keystone Purchasing Network for the provision and performance of goods and services.

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

1. This Resolution shall be known and may be cited as a National Cooperative Purchasing Resolution of the Borough of Madison.
2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Purchasing Agreement with KPN.
3. The KPN shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
4. The Resolution shall take effect immediately upon passage.

R 120-2015 RESOLUTION OF THE BOROUGH OF MADISON  
AWARDING A CONTRACT TO DENVILLE LINE STRIPING, INC. FOR  
EPOXY STRIPING WORK IN THE AMOUNT OF \$35,000.00

**WHEREAS**, the Borough of Madison desires to award a contract for striping work for various roadways 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**, Denville Line Striping, Inc., of Rockaway, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract #36; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council utilize this contract for striping of various roadways in an amount not to exceed \$35,000.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$35,000.00 for this purpose in Ordinance 18-2015.

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**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 striping of various roadways by Denville Line Striping, Inc. of Rockaway, New Jersey, at a total price not to exceed \$35,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #36.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Denville Line Striping, Inc., for striping of various roadways at a total price not to exceed \$35,000.00, in a form acceptable to the Borough Attorney.

R 121-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR MILLING AND PAVING OF VARIOUS ROADS UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$470,000.00

**WHEREAS**, the Borough of Madison desires to award a contract for the milling and paving of various roads 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 New York, Inc. of Wharton, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract #6; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council utilize this contract for the milling and paving of various roads in an amount not to exceed \$470,000.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$470,000.00 for this purpose in Ordinance 18-2015.

**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 milling and paving of various roads by Tilcon New York, Inc., of Wharton, New Jersey, at a total price not to exceed \$470,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #6.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Tilcon New York, Inc., of Wharton, New Jersey, for the milling and paving of various roads at a total price not to exceed \$470,000.00, in a form acceptable to the Borough Attorney.

R 122-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION TO THE PLANNING BOARD OF A PROPOSED RESOLUTION DECLARING THE PROPERTY AT 28 WALNUT STREET (LOT 42 IN BLOCK 1601) AS AN AREA IN NEED OF REHABILITATION

**WHEREAS**, N.J.S.A. 40A:12A-14 vests in the Mayor and Council the authority to determine whether certain property or properties meet the criteria for designation as an area in need of rehabilitation; and

**WHEREAS**, the existing civic center building on property designated as Block 1601, Lot 42 commonly known as 28 Walnut Street (the "Property") meets

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the criteria for designation as an area in need of rehabilitation because the building is more than 50 years old, as is the water, sewer and utility infrastructure; and

**WHEREAS**, the Mayor and Council have determined that a program of rehabilitation would prevent further deterioration and promote the overall development of the community; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-14 the governing body must submit the proposed resolution to the Planning Board before it can adopt the Resolution declaring the Property as an area in need of rehabilitation; now therefore be it

**RESOLVED** by the Mayor and Council of the Borough of Madison, County of Morris and State of New Jersey that:

1. The proposed Resolution, attached hereto, declaring the Property as an area in need of rehabilitation shall be submitted to the Planning Board for its review.
2. The Planning Board is directed to submit any recommendations or modifications that it may have to the proposed Resolution within the time required by N.J.S.A. 40A:12A-14.

R 123-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATION FOR A BOWLING ALLEY LICENSE FOR NJ ENTERTAINMENT, LLC TRADING AS PLAZA LANES

**WHEREAS**, in compliance with the provisions of Chapter 70 of the Borough Code, application has been made by NJ Entertainment, LLC, trading as Plaza Lanes for annual bowling alley license; and

**WHEREAS**, the above applicant has complied with all requirements of the State Law and the above mentioned Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Bowling Alley License be issued to:

Company Name:	NJ Entertainment LLC
Name of Bowling Alley:	Plaza Lanes
Location of Bowling Alley:	53 Madison Plaza 306 Main Street, Unit 6 Madison, New Jersey

R 124-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATION FOR AMUSEMENT DEVICE LICENSE AND PERMITS FOR NJ ENTERTAINMENT, LLC TRADING AS PLAZA LANES

**WHEREAS**, in compliance with the provisions of Chapter 58 of the Borough Code, application for amusement device premise license and nine (9) amusement device permits has been made by NJ Entertainment LLC t/a Plaza Lanes; and

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**WHEREAS**, the above applicant has complied with all requirements of the State Law and above-mentioned Ordinance;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Amusement Device Premise License be issued to:

NJ Entertainment LLC t/a Plaza Lanes  
53 Madison Plaza  
306 Main Street, Unit 6  
Madison, NJ

**BE IT FURTHER RESOLVED**, that this License will permit the operation of nine amusement device machines at the location mentioned above.

**R 125-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING ADDITIONAL LIVERY LICENSES FOR MADISON LIMOUSINE SERVICE**

**WHEREAS**, in compliance with the provisions of Chapter 173 of the Borough Code, application for two additional Livery Licenses has been made by Michael Lekas, t/a Madison Limousine Service; and

**WHEREAS**, the above applicant has complied with all requirements of the State Law and above-mentioned Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following two additional Livery Licenses be issued to:

<u>2015 LICENSE NO.</u>	<u>NAME</u>	<u>Vehicle</u>
15-18, 15-19	Michael Lekas Madison Limousine Service	2 Liveries

**R 126-2015 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS**

**WHEREAS**, when County Tax Board appeals are successful, the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

**WHEREAS**, the municipal tax collector must then adjust the taxpayer's fourth quarter tax bill, resulting in the municipality's fund balance for the preceding year being diminished, if not completely depleted; and

**WHEREAS**, in recent years, municipalities have experienced a large spike in tax appeals caused by the economic down-turn, which lowered property values and placed increased stress on the income of homeowners all around our Garden State; and



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**WHEREAS**, successful tax appeals have a four-fold negative impact on municipal budgets; first by requiring the municipality, as the collector of taxes for the School district, county and special districts, to fund the full cost of the legal defense of the assessment; and

**WHEREAS**, the second negative impact on municipal budgets results from State law, which guarantees to the county and the school district 100% of their levies, hence forcing the municipality to bear the full cost of any reimbursements resulting from the appeal, as well as the full burden for any uncollected taxes; and

**WHEREAS**, the third negative impact on municipal budgets ensues because the refunds and credits negatively impact the municipality's tax collection rate, resulting in a State required increase in the appropriation for the Reserve for Uncollected Taxes (a non-exempt from cap budget expenditure); and

**WHEREAS**, fourth, the end result is a further decline in the property tax base used to support municipalities, county governments, school systems and any fire or other special purpose districts, which will necessitate tax rate increases to raise the same amount of revenue; and

**WHEREAS**, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public.

**WHEREAS**, Senator Anthony R. Bucco, Assemblyman Michael Patrick Carroll and Assemblyman Anthony M. Bucco have recently introduced Senate Bill S-1896/Assembly Bill A-1503, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

**NOW, THEREFORE, BE IT RESOLVED**, that the *BOROUGH COUNCIL* of the *BOROUGH OF MADISON* hereby urge the swift passage and signing of S-1896/A-1503; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

R 127-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MADISON AREA YMCA 5K RUN ON WEDNESDAY, MAY 20, 2015 AT 6:30 P.M.

**WHEREAS**, Madison Area YMCA has requested to hold a "5K run" in Madison on Wednesday, May 20, 2015, for the benefit of Project Community Pride; and

**WHEREAS**, the run will begin at 6:30 p.m., on the grounds of Giralda Farms; and

**WHEREAS**, Giralda Farms property owners have requested a Hold Harmless agreement and a Certificate of Liability Insurance regarding such use of the property; and

**WHEREAS**, Police Chief Dachisen recommends approval of this request.

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**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of Madison Area YMCA to hold a “5K run” in Madison on Wednesday, May 20, 2015, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

On motion by Mr. Catalanello, seconded by Ms. Baillie 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	\$27,310.51
Health & Public Assistance	1,998.38
Public Works & Engineering	355,845.25
Community Affairs	3,656.44
Finance & Borough Clerk	3,079,992.91
Utilities	<u>496,820.47</u>
Total	<u>\$3,965,623.96</u>

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

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

**NEW BUSINESS**

Mayor Conley announced the following appointments and requested Council confirmation:

**SUSTAINABLE MADISON ADVISORY COMMITTEE**

***Marilyn Musielski***, 16 Academy Road, three-year unexpired term through December 31, 2015.

**DOWNTOWN DEVELOPMENT COMMISSION**

***Deborah Starker***, 30 Beverly Road, MACA Representative for a three-year term through December 31, 2017.

Mr. Rowe moved approval of the foregoing appointments, seconded by Mrs. Vitale and passed by the following vote:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,  
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Elizabeth Osborne, Borough Clerk  
Approved May 11, 2015 (EO)