

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

April 27, 2015 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 27th day of April 2015. Council President Astri Baillie 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 joined the meeting at 8:00 p.m.

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
John Napolitano, Esq. for Matthew J. Giacobbe, Esq., Borough Attorney
Patricia Macaluso for Elizabeth Osborne, Borough Clerk, excused

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Ms. Baillie moved:

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

MINUTES FOR APPROVAL (1)

March 23, 2015

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

CONTRACT MATTERS (2)

GABEL ASSOCIATES

COAH UPDATE/CIVIC CENTER REDEVELOPMENT

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

PERSONNEL MATTERS (5)
POLICE OVERTIME, SPECIAL POLICE OFFICERS, ACTING EVENING
LIEUTENANT AND PER DIEM DISPATCHERS
SENIOR OFFICE ASSISTANT – BUILDING DEPARTMENT
NON-UNION CONFIDENTIAL EMPLOYEES
SUMMER INTERNS

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

LITIGATION MATTER (2)
WHOLE FOODS SETTLEMENT
JCP&L AND EXELON GENERATION CO., LLC
Date of public disclosure 60 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

Ms. Baillie moved approval of the **Executive Minutes of March 23, 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 23, 2015**. Mr. Catalanello 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 announced that May Day is this Saturday, May 2, 2015 and acknowledged the time and effort of the many volunteers that make this day a huge success.

Mayor Conley asked for a moment of silence for the passing of Madison resident and friend Bob Beaman. Mr. Beaman was dedicated to his community and in the past served on the Environmental Commission and also was an active leader for the local Boy Scouts.

PROCLAMATION

Mayor Conley presented a proclamation to Patricia Macaluso, Deputy Borough Clerk in celebration of Municipal Clerk's Week.

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*Proclamation
of the
Borough of Madison
Recognizing
Municipal Clerks Week
May 3 through May 9, 2015*

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk, notably Elizabeth Osborne and Patty Macaluso;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby recognize the week of May 3 through May 9, 2015, as **Municipal Clerks Week**, and further extend appreciation to our Municipal Clerk, Elizabeth Osborne, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Robert H. Conley, Mayor
April 27, 2015

PRESENTATION OF CERTIFICATES

Mayor Conley and members of the Downtown Development Commission presented annual May Day certificates to the following residents:

Kay Leary and the senior citizens of Madison for delivering water to the volunteers on May Day.

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Boy Scout Troop 7 and Venture Crew 77 for the spring cleanup and beautification that makes James Park a beautiful place to visit.

Mike Kopas from Drew University for taming the weeds on the Civic Center grounds along with the help of others from the Drew facility on May Day and all year long.

Mayor Conley also recognized this year's tee-shirt artist, Asha Sinha, a fourth grader at Torey J. Sabatini School and thanked Rose City Frames for framing the winning tee-shirt.

Mayor Conley asked for a motion to consider Resolution R 128-2015 and asked Mr. Catalanello to read the resolution by title.

**R 128-2015 RESOLUTION OF THE MADISON BOROUGH COUNCIL
APPOINTING THOMAS M. BOYLAN TO THE POSITION OF PROBATIONARY
FIREFIGHTER**

WHEREAS, Fire Chief Louie E. DeRosa, III, has recommended the appointment of Thomas M. Boylan to the position of firefighter in the paid division of the Madison Borough Fire Department; and

WHEREAS, Fire Chief Louie E. DeRosa, III, certified that Thomas M. Boylan is a fully qualified firefighter; and

WHEREAS, the Mayor and Council have reviewed the recommendation and accept the Fire Chief's representations that Thomas M. Boylan has met all requirements to be a firefighter in the paid division.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Thomas M. Boylan is hereby appointed to the position of firefighter in the paid division of the Madison Borough Fire Department, effective April 28, 2015.

BE IT FURTHER RESOLVED, that he be compensated in accordance with the terms of the Collective Bargaining Agreement between the Firemen's Mutual Benevolent Association Local No. 74 and the Borough.

Mr. Catalanello moved Resolution R 128-2015 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

Mayor Conley administered the Oath of Office to Probationary Fire Fighter Thomas M. Boylan.

REPORTS OF COMMITTEES

Community Affairs

Ms. Baillie, Chair of the Committee, made the following comments:
The first annual Madison Avenue Challenge between Fairleigh Dickinson University and Drew University was held last Thursday, April 23. Drew won 4-2. Ms. Baillie thanked Madison Little League and Borough of Madison Recreation Director, Zach

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Ellis, for organizing this event. The Downtown Development Commission would like to remind all residents that May Day is this Saturday, May 2nd, and noted there is still time to sign up. The Madison Senior Citizens held their spring luncheon on April 22nd honoring the tax volunteers and 28 guests attended the event. Tax Counselors assisted residents every Wednesday for ten weeks with federal and state income tax forms. Nora Stewart of the Friends of Madison Senior Center was recognized for her leadership role with flowers and a gift certificate. Cub Scout Pak 7 from Saint Vincent's School did a great job cleaning up winter debris on the grounds of the Senior Center. On Friday, May 29th, Madison High School students will plant new ground cover near the Civic Center entrance as part of Annual Day of Service. The students will also travel around town to help senior citizens with light cleaning and yard work. The Chamber of Commerce held its first annual Home Expo on Saturday, April 25th, at the Madison Community House. Twenty local businesses shared their expertise and product information with the public free of charge. Ladies night out will be held on Thursday, May 7th. Register for the event at Short Stories and the first 100 registrants will receive a gift bag of items and special offers donated by local businesses. The Chamber of Commerce Annual Awards dinner will be held on Tuesday, June 9th, at the Madison Hotel. The Directors selected seven businesses and individuals for recognition at the dinner. The Annual Extra Mile Award will also be presented at the dinner for outstanding customer service and is selected by Madison shoppers and restaurant goers. Ballots will be distributed in May. The Chamber of Commerce annual election for Board of Directors was conducted by an on-line survey from April 9th through April 25th. Currently 24 individuals serve on the board and one-third stand for election each year. The Chamber of Commerce annual bus trip to Yankee Stadium is scheduled for Sunday, July 19th, when New York faces the Seattle Mariners. The game starts at 1:05 p.m. and tickets will go on sale soon. Ms. Baillie noted that there is an article in the Drew University magazine about Drew's relationship with Madison featuring Mayor Conley, Mike Kopas and others. Ms. Baillie further noted that Mayor Conley will receive an honorary doctorate degree at Drew's commencement ceremony on Saturday, May 16th, and congratulated him for his achievement.

Public Safety

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

On Sunday, April 26, 2015, at 12:18 p.m., the Fire Department responded to a fire at 2 Rosewood Avenue. The homeowner turned on the whole house fan located in the attic. The fan did not come on. Approximately 20 to 30 minutes later the homeowner observed that the lights started to dim. Upon inspection from the attic stairs, the attic was full of smoke. The homeowner called 911. When the firemen arrived they noticed that items stored under the fan were burning. The Firemen used a water extinguisher to put out the fire and used a fan to ventilate the attic of smoke. Since there was no further indication of fire, they disconnect the fan from the power supply and advised the homeowner to contact an Electrician to replace the fan motor. There was no damage to the main living space and no injuries were reported.

Utilities

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

All crews from the Electric Department have completed the Confined Space Training Course. This is an important course which is run by the Electric and Fire Departments. The Electric Department also installed new poles on Durwood Place and Borough Parking Lot #2 and installed three phase bank transformers which provide service for 39 Green Village Road. The Electric Department also performed line clearance, service upgrades, removals and mark-out requests at various

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locations. The contractors began the installation of ceiling insulation at the Water and Light Garage.

Finance and Borough Clerk

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

On April 15, 2015, the Borough made a semi-annual interest payment on its outstanding debt totaling approximately \$275,000.00. On October 15, 2015, the Borough will make another payment totaling \$1.7 million dollars. Nisivoccia LLP, Certified Public Accountants, has started working on the annual audit of the Borough's finances.

Health

Mr. Wolkowitz of the Committee made the following comments:

Mr. Wolkowitz reminded the public that there is a Women's Cancer Screening Clinic on Wednesday, May 6, 2015, starting at 9:30 a.m. The clinic will be held at the Madison Civic Center located at 28 Walnut Street. Appointments are necessary. There is no cost unless a test is recommended on site and that cost is \$25.00. The Borough is now in the grace period for animal licensing. A \$10.00 late fee will be added to anyone who did not renew their pet license during the annual licensing period. The grace period will end on May 31, 2015. After that date you will be in violation of state statute, Borough Ordinance and you may receive a summons for noncompliance. Mr. Wolkowitz reminded residents to please license their pets. Also, there is pending legislation regarding religious exemptions for inoculations, and the Board of Health will be asking the Council for action sometime in the future.

Public Works and Engineering

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

Mr. Rowe read a statement on behalf of the Madison Environmental Commission endorsing the adoption of the land-use ordinance that prohibits unregulated pipelines in Madison. The ordinance will protect the health, safety and property values of our residents.

The bid opening for the 2015 Ridgedale Avenue road improvement project is scheduled for May 14, 2015. The second round of NJDOT municipal aid funding for this project was authorized in the amount of \$160,000. Public Service Electric and Gas (PSE&G) Company started gas main replacement work on Ridgedale Avenue on April 22, 2015, in advance of the municipal road reconstruction work planned for this summer. PSE&G's work consists of 3,100 feet of a new gas main, ending at Central Avenue, followed by the replacement of individual gas service.

A second informal public meeting to discuss the proposed Morris County Central Avenue modifications will be held this Friday at 1:00 p.m. in the Courtroom at the Hartley Dodge Memorial building. The bid opening for the Madison Public Library HVAC system replacement, ceiling and lighting repairs took place on Thursday, April 23, 2015, at 10:00 a.m., in the Courtroom of the Hartley Dodge Memorial. The bids are being reviewed and recommendations for award or rejection are required within 60 days.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated April 14, 2015, from Allison Johansen of Shadylawn Drive regarding roadway repairs to Shadylawn Drive.

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Email dated April 16, 2015, from Ken Waer of Anthony Drive, on behalf of Madison Little League, thanking Mayor and Council and the Electric and Public Works Departments for their efforts regarding playing fields.

Email dated April 21, 2015, from Sharad Gupta of Buckingham Drive regarding field closures April 21st.

Email dated April 21, 2015, from Beth Riley of Maple Avenue regarding introduced Ordinance 28-2015, prohibiting unregulated pipelines.

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

04/27/2015-1 MADISON ATHLETIC FOUNDATION QUARTERLY REPORT
Item removed and held to a later date.

04/27/2015-2 AMENDING CHAPTER 166 ENTITLED “STREETS AND SIDEWALKS” OF THE BOROUGH CODE CONCERNING SIDEWALK DINING LICENSES.

Russell Stern, Chair of the Downtown Development Commission, spoke on behalf of DDC, in support of the proposed ordinance, noting it will stimulate the local economy by attracting and keeping more people in the downtown area. He further noted that right now Madison is in competition with other town's that have adopted similar ordinances for outdoor consumption of beer and wine, especially Morristown and Summit.

John Morris, a representative from the Chamber of Commerce, spoke in favor of the proposed ordinance, noting that the Chamber of Commerce Land Use Committee is always looking for opportunities to increase sidewalk traffic and adopting this ordinance would allow people to spend more time in the downtown area. Mr. Morris will inform the members of the Chamber of Commerce of the proposed ordinance at their next meeting on Tuesday, May 5, 2015.

Mr. Burnet updated the Council on proposed changes to the Ordinance, noting that there is an increased insurance requirement. The license holder will now have to enter into an agreement to indemnify the Borough, as well as an agreement to maintain the sidewalk area. License holders must also comply with the Smoke Free Air Act. Mayor Conley noted licensed establishments are still regulated by the Division of Alcoholic Beverage Control. License holders are responsible for making sure the passageway is clear for pedestrians. The proposed ordinance applies to restaurants that have wait-table service, thereby providing a level of supervision. There was agreement to list Ordinance 33-2015 for introduction.

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Ordinance 33-2015 is listed for introduction.

04/27/2015-3 SUPPORT LEGISLATION CLARIFYING EXEMPTIONS FROM IMMUNIZATIONS

Councilman Wolkowitz explained current legislation, which allows exemptions for mandatory immunizations for religious reasons, and asked Council to support Senate Bill No. 1147 and Assembly Bill No. 1931, calling for stricter requirements for exemptions due to the rise in measles cases. There was no objection to listing Resolution R 141-2015 on the consent Agenda.

ADVERTISED HEARINGS

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on April 13, 2015, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

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.

Mayor Conley opened up the public hearing on Ordinance 19-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 19-2015, which was read by title, be finally adopted. Ms. Baillie 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

Mayor Conley declared Ordinance 19-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**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.

Mayor Conley opened up the public hearing on Ordinance 20-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Catalanello moved that Ordinance 20-2015, which was read by title, be finally 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

Mayor Conley declared Ordinance 20-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

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

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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.

Mayor Conley opened up the public hearing on Ordinance 21-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 21-2015, 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 21-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

ORDINANCE 22-2015

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$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

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.

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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 \$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.

Mayor Conley opened up the public hearing on Ordinance 22-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 22-2015, 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 22-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

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.

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Mayor Conley opened up the public hearing on Ordinance 23-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 23-2015, 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 23-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**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.

Mayor Conley opened up the public hearing on Ordinance 24-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 24-2015, 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

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Mayor Conley declared Ordinance 24-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 25-2015
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$32,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF 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.

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.

Mayor Conley opened up the public hearing on Ordinance 25-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 25-2015, 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 25-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**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**

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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.

Mayor Conley opened up the public hearing on Ordinance 26-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 26-2015, 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 26-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**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:

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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.

Mayor Conley opened up the public hearing on Ordinance 27-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 27-2015, 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 27-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**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

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:

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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.

Mayor Conley opened up the public hearing on Ordinance 28-2015.

Sally Rubin, Executive Director of the Great Swamp Watershed Association, thanked the Mayor and Council for their service to the community and for their support for the passage of this ordinance, emphasizing that Ordinance 28-2015 will protect the public, wildlife, habitat and water resources from a catastrophic event. Brendan Keating, of the Chatham Borough Environmental Commission, asked the Mayor and Council to preserve our way of life in Madison by protecting the water supply through the passage of Ordinance 28, 2015.

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Terry Ziegler, Greenwood Avenue, asked the Mayor and Council to support Ordinance 28-2015 and asked interested residents to sign up for the Madison Action Committee, regarding the proposed pipeline.

Councilman Catalanello recused himself from the meeting at 9:10 p.m. Since no further members of the public wished to be heard, Mayor Conley closed the hearing.

Ms. Baillie moved that Ordinance 28-2015, 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. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz
Nays: Mr. Rowe
Absent: Mr. Catalanello

Mayor Conley declared Ordinance 28-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

Councilman Catalanello returned to the meeting at 9:20 p.m.

**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.

Mayor Conley opened up the public hearing on Ordinance 29-2015. Since no member of the public wished to be heard, the public hearing was closed. Mrs. Vitale moved that Ordinance 29-2015, which was read by title, be finally adopted. Mr. Rowe 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

Mayor Conley declared Ordinance 29-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**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:

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.

Mayor Conley opened up the public hearing on Ordinance 30-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 30-2015, which was read by title, be finally 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

Mayor Conley declared Ordinance 30-2015 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**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**

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WHEREAS, the Borough Engineer has recommended that the Borough amend the Borough Code to provide for an annual program of reimbursement to residential property owners for a portion of the cost of replacement or installation of sidewalks on land abutting a public street; and

WHEREAS the Borough Engineer recommends that permit fees and bond requirements be relaxed for residential applicants to encourage participation in the sidewalk reimbursement program; and

WHEREAS, the Borough Council concurs in this recommendation to improve the conditions of sidewalks in the Borough.

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

SECTION 1: Chapter 166 of the Borough Code, entitled "Streets and Sidewalks" is amended to include the following:

§ 166-25. Sidewalk Opening Permits: Specification; Inspections.

...

B. Upon submission of the Sidewalk Permit Application, the Borough Engineer may reduce the permit application fee to the nominal amount of \$50.00 for residential applicants falling under the Municipal Partial Reimbursement Program § 166-34, and reduce or waive performance deposit requirements where residential applicants can demonstrate no adverse impact to adjoining public curbs, pavements or public structures resulting from the proposed sidewalk improvement.

...

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

Mayor Conley opened up the public hearing on Ordinance 31-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 31-2015, 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 31-2015 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.

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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.

Marlene Dolan, Sherwood Avenue resident and Borough of Madison Public Health Nurse, thanked Councilman Wolkowitz for updating the Council on pending legislation regarding religious exemptions for required vaccinations for students and thanked the Council for supporting Resolution R 141-2015.

Brendan Keating; Chatham Borough Environmental Commission emphasized that the transmission of oil through pipelines is not something new and has been around for a long time.

Mark Chiarolanza; Greenwood Avenue asked Council to provide a characterization, description and purpose of the two pick-up trucks with accessories being purchased for the Public Works Department in Ordinance 22-2015.

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 11, 2015 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 32-2015 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$60,000.00 FROM THE ELECTRIC CAPITAL
IMPROVEMENT FUND FOR BASKETBALL COURT LIGHTING
REPLACEMENT AT DODGE FIELD

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$60,000.00 from the Electric Capital Improvement Fund for replacement of lighting at the Basketball Courts at Dodge Field; 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 \$60,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$60,000.00 from the Electric Capital Improvement Fund for replacement of lighting at the Basketball Courts at Dodge Field.

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 \$60,000.00 is hereby appropriated from the Electric Capital Improvement Fund for replacement of lighting at the Basketball Courts at Dodge Field.

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 32-2015, which the Deputy 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 33-2015 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 166 OF THE BOROUGH CODE ENTITLED
"STREETS AND SIDEWALKS" REGARDING OUTDOOR DINING AT
BUSINESS ESTABLISHMENTS

WHEREAS, the Assistant Borough Administrator has recommended that the Borough Council amend Chapter 166 of the Borough Code regarding sidewalk dining; and

WHEREAS, the Borough Council concurs in this recommendation to amend the sidewalk dining regulations in the Borough.

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

SECTION 1: Chapter 166- of the Borough Code, entitled "Streets and Sidewalks" is amended to include the following:

...

Article V. Sidewalk Dining Licenses

§ 166-43. Purpose and intent.

The purpose and intent of this article is to allow portions of the public sidewalks in front of eating establishments to be used for sidewalk dining subject to issuance of a sidewalk dining license and strict compliance with all conditions set forth herein. This limited authorization to use the public sidewalks is intended to advance the public purposes of stimulating economic activity and providing amenities in the business districts of the Borough of Madison, and such authorization shall be solely in the nature of a revocable license which shall not be deemed to vest licensees with any property interest or other rights in the public sidewalks. The sidewalk area for purposes of this Chapter shall be defined as the right of way in front of the dining establishment between the building and the street.

§ 166-44. License required.

No person shall engage in or allow sidewalk dining on any public sidewalk without having first obtained a sidewalk dining license.

§ 166-45. Application for license.

An application, sworn to by the applicant, for a sidewalk dining license shall be filed annually with the Borough Clerk on forms supplied by the Clerk. The forms

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shall require the following information and such additional information as deemed necessary:

- A. The name of the applicant and the address.
- B. The name and address of the eating establishment where sidewalk dining is to be maintained.
- C. A description of the dimensions of the area and the number of tables to be used for sidewalk dining.
- D. Written consent of the owner of the premises, if other than the applicant.
- E. An applicant wishing to serve alcohol on the sidewalk dining area must execute a revocable agreement with the Borough to have conditional use of the side walk as a right of way. Any licensed premises must secure and provide copies to the Borough of all necessary permits from the New Jersey Division of Alcoholic Beverage Control to extend their licensed premises in accordance with applicable New Jersey law.
- E. A certificate of insurance providing at least \$1,000,000.00 of comprehensive general liability extending premises coverage to all activities associated with sidewalk dining and listing the Borough of Madison as an additional insured with respect to such activities.
- F. A check payable to the Borough of Madison in the amount of the license fee required by § 166-47. [Amended 5-29-1996 by Ord. No. 12-96]
- H. Execution and filing with the Borough Clerk of an indemnification agreement pursuant to which the licensee, in further consideration of the issuance of the license, shall agree to forever defend, protect, indemnify and save harmless the Borough, its officers, agents and employees, from and against any and all claims, causes of action, injuries, losses, damages, expenses, fees and costs arising out of or which may arise out of the licensee's operation of it sidewalk dining establishment.
- I. Execution and filing with the Borough Clerk of a maintenance agreement pursuant to which the licensee, in further consideration of the issuance of the license, shall agree, at the Borough's option, either to repair at its sole cost and expense any damage caused to the sidewalk by the operation of its sidewalk dining operation, or to reimburse the Borough in full for all costs and expenses incurred by it in making any such repairs.

The Borough Clerk may require a bond to be filed by the licensee in an amount to be fixed by the Borough.

§ 166-46. Application review.

A. The Borough Clerk shall review the application and investigation report on each applicant. The Borough Clerk shall approve or deny the application, taking into consideration the factors set forth in § **166-45**. [Amended 5-29-1996 by Ord. No. 12-96]

B. Any applicant who is denied a license may request in writing a hearing on the denial decision before the Borough Council.

§ 166-47. Fees.

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The annual license fee for each and every premises on which sidewalk dining is conducted shall be \$100.

§ 166-48. License terms and conditions.

A. A sidewalk dining license shall be valid only through November 15 of a given year, and a new license must be obtained for each year.

B. A sidewalk dining license may not be transferred.

C. The license shall be displayed in a conspicuous place on the premises prior to the use of the premises for sidewalk dining.

§ 166-49. Regulations.

The conduct of sidewalk dining pursuant to a license issued under this article shall be subject to all of the following restrictions and requirements:

A. Public sidewalk dining may be conducted in the Central Business Districts (CBD-1 and CBD-2), General Business Area (GBA) and Multi-Use Commercial District (C), as designated on the Madison Zoning Map.

B. The sidewalk dining area must not inhibit pedestrian traffic on public sidewalks, and an area must be open and unobstructed for pedestrian traffic between the closest edge of the cafe-type tables and the curblin, which area shall have a minimum width of the greater of four (4) feet or one-half (1/2) of the sidewalk width.

C. Restaurateurs shall not place anything in an alleyway or walkway or set up tables in such a manner as to block any alleyways or walkways or any building entrance/egress. It shall be unlawful to obstruct or reduce in any manner the clear width of any exit discharge passageway, as determined by the clear width opening of the entrance/egress door(s). The passageway shall be as straight as possible leading directly to the street.

D. The only items permitted are tables, chairs, umbrellas and containers for the disposal of recyclable cans/bottles and garbage.

E. Restaurateurs shall not place any table, sign, umbrella or other item in such a manner as to block any municipal signs, receptacles for garbage, public benches or other public amenity, including fire hydrants.

F. Restaurateurs must provide for the disposal of recyclable cans/bottles and garbage. Public receptacles for garbage shall not be used. Sidewalk areas shall be kept clean during hours of operation. Litter shall not be permitted on adjoining sidewalks or property.

G. Restaurateurs are prohibited from serving drivers or passengers of vehicles. All customers must be seated throughout their meal.

H. Restaurateurs are prohibited from using public utility hookups.

I. All sound systems are prohibited.

J. All food preparation shall be in the regular kitchen area of the restaurant, not outside.

K. All outdoor food service is subject to the regulations contained in Chapter 12 of the New Jersey Sanitary Code.

L. The placement of outdoor tables shall be limited to the area immediately in front of existing and/or properly approved restaurants, cafes or eating establishments. No portion of any sidewalk dining equipment, including chairs, tables and opened umbrellas, shall encroach upon the sidewalk area in a manner to

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block, impede or cover adjacent store fronts, doors or windows in front of other business establishments.

M. Sidewalk dining may commence March 1 and may continue through November 15.

N. Permissible hours of operation shall be from 7:00 a.m. to 10:00 p.m.

O. Wine and beer are the only alcoholic beverages that may be consumed at a sidewalk dining establishment on the condition that table service is provided.

P. Everything must be removed and sidewalks must be washed daily by 10:30 p.m.

Q. The Borough retains the right to temporarily suspend a sidewalk dining license to allow for construction activity, utility repairs, special events or for other reason as deemed appropriate by the Borough Council, with reasonable advance notice to be given to affected licensees.

R. Restaurateurs must comply with the provisions of the Smoke-Free Air Act, N.J.S.A. 26:3D-55 to -64, including displaying the appropriate designated site-specific conditions for smoking that are appropriate to their particular circumstances and environments. Moreover, in accordance with N.J.S.A. 26:3D-63 and N.J.A.C. 8:6-2.3 smoking is prohibited at a sidewalk dining establishment if smoking in the exterior area results in migration, seepage, or recirculation of smoke to an indoor public place or a workplace at which smoking is prohibited.

S. The licensee shall comply with all other Borough ordinances.

§ 166-50. Suspension and revocation of license.

Any license may be suspended or revoked for good cause by the Borough Council, including but not limited to a misrepresentation of the information supplied in the application, the conviction of a crime, a violation of any ordinance, statute or government regulation or a violation of this article.

§ 166-51. Enforcement.

The Borough Clerk shall be responsible for licensing and the collection of fees. This chapter shall otherwise be enforced by the Zoning Officer, Madison Police Department and the Board of Health, as to the Sanitary Code.

§ 166-52. Violations and penalties.

Any violations of the provisions of this article shall be punishable by a fine not to exceed \$500 as determined by the Municipal Court. Each day the violation shall continue after a notice and a reasonable opportunity to correct or remedy the violation shall constitute a separate violation.

§ 166-53. Appeals.

Any person aggrieved by any action of the Borough Clerk, in the denial or revocation of a Sidewalk Dining License, shall have the right to appeal to the Borough Administrator. The appeal shall be taken by filing with the Borough Clerk, within thirty (30) days after the notice of the action complained of has been served personally upon the licensee, or mailed, postage prepaid, to the licensee at the address given by the licensee in making application under § 166-44 herein, a written statement setting forth fully the grounds for appeal. The Borough Clerk shall set a time and place of hearing for the appeal, at which time the Borough Administrator shall conduct a hearing and affirm, modify or reverse the action appealed from.

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§ 166-54. Severability.

Each section of this article is an independent section, and the holding of any section or part thereof to be unconstitutional or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

...

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

Ms. Baillie moved that Ordinance 33-2015, which the Deputy 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:

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. 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 129-2015 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING NEW JERSEY DEPARTMENT OF TRANSPORTATION 2015 MUNICIPAL AID FUNDING IN THE AMOUNT OF \$160,000.00 FOR RIDGEDALE AVENUE RECONSTRUCTION

WHEREAS, the Borough of Madison has received a grant award notification from the New Jersey Department of Transportation (NJDOT) in the amount of \$160,000.00 to reconstruct Ridgedale Avenue; and

WHEREAS, the Borough of Madison intends to supplement this grant from the NJDOT with funds from the 2015 Capital budget; and

WHEREAS, the Borough Council has determined that it would be in the best interest of the Borough to accept the NJDOT's Municipal Aid Program funding to assist in the cost of the reconstruction of Ridgedale Avenue.

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

1. The Borough gratefully acknowledges and accepts the NJDOT 2015 Municipal Aid Program funds in the amount of \$160,000.00.
2. The Borough Council agrees to fund the remainder of the cost for this project from the General Capital Improvement Fund.

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3. The Borough thanks the New Jersey Department of Transportation for its continued support.

R 130-2015 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-time positions, retroactive to January 1, 2015, the same being within the minimum and maximum limitations established by Ordinance 15-2015, and supplementing and/or amending Resolution 109-2915.

POSITION	NAME	CURRENT	PROPOSED
Intern	Sara Rafter	\$9.00/hr	\$12.00/hr
Office Assistant I , Part-Time	Lisa M. DiTaranto	\$16.00/hr	\$17.00/hr

R 131-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AND RATIFYING THE AWARD OF NON-FAIR AND OPEN CONTRACT FOR THE POSITION OF BOROUGH PROSECUTOR FOR 2015

WHEREAS, the Borough of Madison has a need to obtain the Professional Services of Matthew R. Petracca, Esq., Prosecutor for the Township of Morris in the Joint Municipal Court, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of the contract is April 15, 2015 through December 31, 2015 and may be extended or reduced as recommended by the Joint Court Committee and approved by this governing body; and

WHEREAS, said Professional Services provider has submitted a proposal indicating a willingness to provide the services at the rate of \$450.00 per court session, as described in the contract; and

WHEREAS, said Professional Services provider will complete and submit a Business Entity Disclosure Certification which certifies that said provider has not made any reportable contributions to a political or candidate committee in the Borough of Madison or Township of Morris, County of Morris, State of New Jersey in the previous year, and that the contract will prohibit said Professional Services provider from making any reportable contributions through the term of the contract, and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified as to the availability of funds for said contract in the 2015 Joint Court budget.

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

1. The Mayor is hereby authorized to execute a contract for the professional services of Matthew R. Petracca, Esq., as Prosecutor for the Township of Morris in the Joint Municipal Court, the cost of such professional service agreement not to exceed the amount certified by the Chief Financial Officer.

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

3. The resolution and contract are on file and available for public inspection in the office of the Municipal Clerk during regular business hours Monday through Friday.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.

R 132-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO KINGS ROAD SCHOOL

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

PTO KINGS ROAD SCHOOL
I.D. No. 274-5-18728
R.A. No. 1345 – On Premise Merchandise
June 5, 2015

R 133-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TRANSFER OF 2015 LIVERY OWNER'S LICENSE FOR MADISON STATION TAXI, LLC

WHEREAS, any license issued for any taxicab or livery may be transferred to a substitute vehicle in accordance with the provisions of Chapter 173-7 of the Borough of Madison Code after approval of the Council and upon the payment to the Borough of a transfer fee of \$10.00 for each vehicle for which the license is to be transferred; and

WHEREAS, prior to the approval or disapproval by the Council of the transfer of the license to permit the operation of such substituted vehicle, the owner may operate such substituted vehicle or cause the same to be operated, subject to the other provisions of Chapter 173-7; and

WHEREAS, Madison Station Taxi LCC has made application to transfer Taxi Owner's License No. 15-11 to a substitute vehicle and, at the same time, has provided proof of insurance and paid the appropriate transfer fee;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, to approve the license transfer request from Madison Station Taxi LLC.

R 134-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ENTER INTO A SETTLEMENT AGREEMENT WITH WHOLE FOODS MARKET GROUP

WHEREAS, the Borough of Madison has previously filed a Complaint against Whole Foods Market Group, regarding fire code violations; and

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WHEREAS, the parties have engaged in settlement discussions, and the Parties have reached an agreement with respect to the matters in dispute between them and to settle the claims in the Litigation; and

WHEREAS, the parties have agreed to settle all pending lawsuits and claims by way of this Settlement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris, State of New Jersey that the Mayor and Borough Clerk be authorized to execute a claim settlement agreement in a form approved by the Borough Attorney.

R 135-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING AMY GREELEY TO THE POSITION OF SENIOR OFFICE ASSISTANT IN THE BUILDING DEPARTMENT

WHEREAS, the Borough Administrator has recommended appointing Amy Greeley to the position of Senior Office Assistant in the Office of the Building Department effective April 28, 2015; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Amy Greeley is hereby appointed to the position of Senior Office Assistant in the Building Department, effective April 28, 2015, to be compensated at the annual salary of \$48,000.00.

R 136-2015 RESOLUTION OF THE BOROUGH OF MADISON SETTING SALARIES FOR FULL-TIME NON-UNION PERSONNEL

BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following persons be compensated at the annual salary or rate of wages, the same being within the minimum and maximum limitations established by Ordinance 11-2014, to be effective January 1, 2015.

	<u>FROM</u>	<u>TO</u>
POSITION AND NAME		
DeVecchi, Theresa, Executive Assistant	\$66,249.00	\$67,574.00
Emmerich, Sandra L. Confidential Assistant	\$50,000.00	\$51,000.00
Keenan, Benjamin R., Dispatcher	\$40,339.00	\$41,146.00
Macaluso, Patricia, Deputy Borough Clerk	\$52,799.00	\$53,855.00
Manion, Kristy, Confidential Secretary	\$59,200.00	\$60,384.00
Mittermaier, Joseph, Dispatcher	\$36,553.00	\$41,500.00
Phillips, Connie, Office Manager	\$67,810.00	\$69,166.00
Rafter, John, Senior Dispatcher	\$54,481.00	\$55,571.00
Sawyer, Linda, Confidential Asst to CFO & Personnel Officer	\$70,342.00	\$71,749.00
Zaragosa, John A., Dispatcher	\$40,273.00	\$41,078.00

R 137-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT AND RELEASE AGREEMENT WITH JERSEY CENTRAL POWER & LIGHT COMPANY AND EXELON GENERATION COMPANY, LLC, AS SUCCESSOR BY MERGER TO CONSTELLATION ENERGY COMMODITIES GROUP, INC.

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WHEREAS, a claim for payment was filed with the Borough by Jersey Central Power & Light Company and Exelon Generation Company, LLC due to a failed metering process in August, September October, November and December 2013, and January and February 2014, resulting in estimated bills to the Borough; and

WHEREAS, the Borough's Special Rate Counsel has negotiated a settlement with Jersey Central Power & Light Company and Exelon Generation Company, LLC., in the total amount of \$253,122.97; and

WHEREAS, the Borough Administrator has recommended that the Borough pay \$253,122.97 for full and final settlement of the matter; and

WHEREAS, the Chief Financial Officer has certified that adequate funds are available in Account 500/430 (Electric Field-Wholesale Purchase of Power) in the 2015 Municipal Budget.

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 Settlement and Release Agreement as described herein is approved and the Mayor and Borough Clerk are authorized to execute same.

2. The form of the Settlement and Release Agreement shall be approved by the Borough Attorney and Special Rate Counsel.

R 138-2015 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENTS OF INTERNS THOMAS DEBIASSE III, ROBERT FINELLI, ROBERT WAER, NICHOLAS PICILLO, AND NICHOLAS SIINO TO SUMMER INTERN POSITIONS IN THE PUBLIC WORKS DEPARTMENT AND POLICE DEPARTMENT

WHEREAS, the Superintendent of Public Works has recommended appointment of Thomas DeBiasse, III, Robert Finelli, Robert Waer, and Nicholas Picillo, as Summer Interns in the Public Works Department and Nicholas Siino as a Summer Intern in the Police Department; and

WHEREAS, the Borough Council agrees with these recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that contingent upon a satisfactory background check being received, Thomas DeBiasse, III, Robert Finelli, Robert Waer, Nicholas Picillo, and Nicholas Siino are hereby appointed to the position of Summer Interns in the Public Works Department and Police Department respectively, at the rate of pay of \$9.00 per hour. The starting employment dates to be determined by the Superintendent of Public Works.

R 139-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SECOND ANNUAL PEDIATRIC ANGEL NETWORK 5K/10K RUN ON SUNDAY, SEPTEMBER 13, 2015

WHEREAS, the Pediatric Angel Network has requested permission to hold a "5K/10K run" in Madison on Sunday, September 13, 2015; and

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WHEREAS, the run will take place between 7 a.m. and 12 p.m., and begin and end on Giralda Farms property utilizing the road surrounding Giralda Farms; and

WHEREAS, Police Chief Dachisen recommends approval of this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Pediatric Angel Network to hold a “5K/10K run” in Madison on Sunday, September 13, 2015 as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

R 140-2015 RESOLUTION OF THE BOROUGH OF MADISON DETERMINING TAX BLOCK 1601, LOT 42 28 WALNUT STREET BOROUGH OF MADISON, NEW JERSEY TO BE AN AREA IN NEED OF REHABILITATION AND AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR THE AREA

WHEREAS, pursuant to N.J.S.A. 40A:12A-14, the Borough Council of the Borough of Madison (the “Council”) is authorized to determine delineated areas in the Borough of Madison which meet certain statutory criteria to be an area in need of rehabilitation; and

WHEREAS, the existing civic center building situated on property designated on the Official Tax Map of the Borough of Madison as Block 1601, Lot 42, and commonly known as 28 Walnut Street, Madison, New Jersey (the “Property”) has been an important part of the Madison Borough community for many years; and

WHEREAS, the civic center building on the Property is more than fifty (50) years old and is in deteriorating condition; and

WHEREAS, the water and sewer infrastructure in the delineated area is at least 50 years old and in need of repair or substantial maintenance; and

WHEREAS, the location, shape and dimensions of the civic center Property are shown on the Tax Map sheet attached as Exhibit A; and

WHEREAS, the Council by Resolution 122-2105 adopted on April 13, 2015, referred this matter to the Madison Planning Board for review and the Planning Board at their April 21, 2015 regularly scheduled meeting recommended the adoption of the proposed resolution; and

WHEREAS, as a direct result of the conditions described above, the Council has determined that a program of rehabilitation may be expected to prevent further deterioration of the Property, restore the Property to a safe, functional and visually pleasing condition, and thereby promote the overall development of the Madison community; and

WHEREAS, the Property meets the statutory criteria for designation as an area in need of rehabilitation; and

WHEREAS, the governing body wishes to authorize the Borough Planner to prepare a Redevelopment Plan for the area.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Borough Council of the Borough of Madison that the delineated area designated on the Tax Map of the Borough of Madison as Block 1601, Lot 42, and commonly known as 28 Walnut Street, Madison, New Jersey, be and hereby is determined pursuant to N.J.S.A. 40A:12A-14 to be an area in need of rehabilitation.

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IT IS FURTHER RESOLVED, that the Borough Planner is hereby authorized to prepare a Redevelopment Plan for the area;

IT IS FURTHER RESOLVED, that the Borough Clerk shall promptly forward a certified true copy of this resolution to the Commissioner of the New Jersey Department of Community Affairs in conformance with the requirements of N.J.S.A. 40A:12A-14.

R 141-2015 RESOLUTION OF THE BOROUGH OF MADISON IN SUPPORT OF LEGISLATION CLARIFYING EXEMPTIONS FROM MANDATORY IMMUNIZATIONS FOR STUDENTS

WHEREAS, the Madison Health Department ensures conditions that promote health, prevent disease and protect the health of the community's population; and

WHEREAS, the Borough of Madison supports the actions of the Madison Health Department and Board of Health to protect our citizens from disease and illness; and

WHEREAS, on March 9, 2015, the Senate Health, Human Services and Senior Citizens Committee released from Committee Senate Bill No. 1147, clarifying statutory exemptions from mandatory immunizations for students for consideration by the full Senate; and

WHEREAS, on March 16, 2015, the Assembly Health and Senior Services Committee released Assembly Bill No. 1931 from committee for consideration by the full Assembly; and

WHEREAS, these identical companion bills would impose more rigorous requirements in order for parents to claim religious exemption from mandatory vaccinations for school children; and

WHEREAS, studies have demonstrated that the religious exemption is generally claimed either as a pretext by parents philosophically opposed to vaccine or simply as a convenience to avoid the necessity of arranging doctor appoints for administration of the vaccines; and

WHEREAS, the *Star-Ledger* reported that religious exemptions were claimed for nearly 9,000 students in the 2013-2014 academic year, compared with 1641 students in 2005-2006; and

WHEREAS, the scientific evidence that vaccines are safe is overwhelming; and

WHEREAS, the proposed legislation does not preclude an exemption when vaccinations would conflict with bona fide religious tenets or practices; and

WHEREAS, the decrease in vaccination rates poses a serious risk to public health

WHEREAS, outbreaks of vaccine preventable diseases, such as measles, pertussis, and mumps are on the increase; and

WHEREAS, there is concern that vaccination rates have fallen below the recommended number to provide herd immunity to protect those who cannot be vaccinated.

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Madison in the County of Morris and State of New Jersey fully supports the proposed legislation and urges the legislature to pass the bills promptly.

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BE IT FURTHER RESOLVED, that upon passage by the New Jersey State Legislature that the Borough Council urges the Governor to sign the bill into law promptly.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the office of the Governor of the State of New Jersey, the State Legislators, the Speaker of the New Jersey General Assembly, the President of the New Jersey State Senate and the Commissioner of the New Jersey Department of Health.

R 142-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING BINGO LICENSE APPLICATION SUBMITTED BY MADISON VOLUNTEER AMBULANCE CORP

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

MADISON VOLUNTEER AMBULANCE CORPS
I.D. No. 274-10-31453
B.A. No. 66
May 15, 2015

R 143-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO TOREY J. SABATINI SCHOOL

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

PTO TOREY J. SABATINI SCHOOL
I.D. No. 274-5-33160
R.A. No. 1346 – On Premise
May 29, 2015

R 144-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING GLYPHS COFFEEHOUSE TO HOLD A SPECIAL EVENT ON SATURDAY, MAY 30, 2015

WHEREAS, the Madison High School Literary Arts Club, Glyphs, has asked permission to close off a small portion of Green Village Road and use the space in front of the Museum of Early Trades and Crafts on Green Village Road on Saturday evening, May 30, 2015, to host a Glyphs Coffeehouse showcasing performances, singing, reading and musical acts of Madison students; 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 Madison High School Club Glyphs is hereby given permission to hold the Glyphs Coffeehouse on Saturday evening, May 30, 2015, contingent upon final approval from the Madison

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Police Department, the Morris County Board of Freeholders and the Museum of Early Trades and Crafts.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mrs. Vitale, seconded by Mr. Catalanello 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	\$15,750.04
Health & Public Assistance	4,675.83
Public Works & Engineering	171,189.29
Community Affairs	72,268.69
Finance & Borough Clerk	33,506.17
Utilities	<u>516,610.37</u>
Total	<u>\$814,000.39</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 - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:31 p.m.

Respectfully submitted,

Patricia Macaluso
for Elizabeth Osborne
Borough Clerk