

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

August 21, 2014 – 9:00 a.m.

CALL TO ORDER

The Special Meeting of the Mayor and Council of the Borough of Madison was held on the 21st day of August, 2014. Mayor Conley called the meeting to order at 9:00 a.m.

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 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 Borough Hall, and filing a copy in the office of the Clerk, all on August 18, 2014. Copies of said Notice were made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale

The following members via teleconference:

Robert G. Catalanello

Robert Landrigan

Benjamin Wolkowitz

Patrick W. Rowe

Absent: Astri J. Baillie, excused

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Matthew J. Giacobbe, Esq., Borough Attorney

John Napolitano, Esq.

Elizabeth Osborne, Borough Clerk

READING OF CLOSED SESSION RESOLUTION

Mr. Landrigan moved:

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

PERSONNEL MATTER (1)
POLICE DEPARTMENT

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

Seconded: Mr. Catalanello

Vote: Approved by voice vote of members present

Special Meeting Minutes – August 21, 2014

RECONVENE PUBLIC MEETING

Mayor Conley reconvened the Regular Meeting at 9:15 a.m. with all members present.

Mayor Conley called up Ordinance 47-2014 for first reading and asked the Borough Clerk to read said ordinances by title:

ORDINANCE 47-2014 REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF \$15,076,000 AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROPRIATING A SUM NOT EXCEEDING \$17,500,000 TO PAY THE COST THEREOF AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$17,500,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS OF SAID BOROUGH TO FINANCE SUCH APPROPRIATION.

BE IT ORDAINED by the Borough Council of the Borough of Madison, in the County of Morris, New Jersey, as follows:

Section 1. The Borough of Madison, in the County of Morris, New Jersey (the "Borough") is hereby authorized to refund \$15,076,000 aggregate principal amount of the Borough's outstanding General Improvement Bonds, dated October 15, 2008 and maturing on or after October 15, 2019 (the "Outstanding Bonds").

The Outstanding Bonds bear interest from their date at the rates per annum, payable on April 15 and October 15 of each year until maturity or prior redemption, and mature in annual installments on October 15 in each year, as follows:

Principal	Interest	
<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2019	\$1,425,000	4.75 %
2020	1,495,000	5.00
2021	1,520,000	5.00
2022	1,520,000	5.00
2023	1,520,000	5.00
2024	1,520,000	5.00
2025	1,520,000	5.00

Special Meeting Minutes – August 21, 2014

2026	1,520,000	5.00
2027	1,520,000	5.00
2028	1,516,000	5.00

The Outstanding Bonds are subject to optional redemption on or after October 15, 2018 at a redemption price of 100%.

The Borough Council may determine by subsequent resolution not to refund a portion of the Outstanding Bonds.

Section 2. The Borough Council of the Borough has ascertained and hereby determines that the Outstanding Bonds set forth in Section 1 of this ordinance have not been paid or discharged and that the Borough is authorized by Section 51(a) of the Local Bond Law of New Jersey (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds as hereinafter provided to refund the Outstanding Bonds. The object of the refunding is to effect debt service savings for the Borough.

Section 3. A sum not exceeding \$17,500,000 is hereby appropriated (a) to refund the Outstanding Bonds set forth in Section 1 of this ordinance in the aggregate principal amount of \$15,076,000 and (b) to pay an amount not exceeding \$170,000 for the cost of the issuance of the refunding bonds, including underwriter's compensation, printing, advertising, financial and legal expenses therefor, as permitted by Section 51(b) of the Local Bond Law (collectively, the "Purpose").

Section 4. To finance the Purpose, refunding bonds of said Borough in an aggregate principal amount not exceeding \$17,500,000 are hereby authorized to be

Special Meeting Minutes – August 21, 2014

issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall be sold at public or private sale and shall be in registered form and shall contain the word "refunding" in their title and shall recite that they are issued pursuant to the Local Bond Law and shall bear such date or dates, mature at such time or times not exceeding 40 years from their date, bear interest at such rate or rates per annum, be payable at such time or times, be in such denominations, carry such registration privileges, be executed in such manner consistent with the provisions of the Local Bond Law for bonds of a municipality, be payable at such place or places, and be subject to such terms of redemption, with or without premium, as may be hereafter determined by resolution of the Borough Council within the limitations prescribed by law.

Section 5. The Refunding Bonds shall be direct, unlimited and general obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all taxable real property within the Borough for the payment of the principal of and the interest on the Refunding Bonds without limitation as to rate or amount. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of the Refunding Bond exist, have happened and have been performed, and that the Refunding Bond, together with all other indebtedness of the Borough, is within every debt and other limit

Special Meeting Minutes – August 21, 2014

prescribed by the Constitution or statutes of said State.

Section 6. The Chief Financial Officer is hereby authorized to execute a certificate addressed to the underwriters of the Refunding Bonds stating that the preliminary official statement to be prepared by the Borough with respect to the Refunding Bonds is "deemed final" as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. The distribution of such preliminary official statement to potential purchasers of the Refunding Bonds is hereby approved.

Section 7. All matters with respect to the Refunding Bonds not determined by this ordinance shall be determined by subsequent resolution or resolutions to be hereafter adopted by the Borough Council of the Borough, or the performance or determination thereof delegated by resolution or resolutions, to the Chief Financial Officer.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$17,500,000 (the amount of the Refunding Bonds authorized), but \$15,076,000 (the amount of Outstanding Bonds being refunded) shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, and that the issuance of the bonds authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Special Meeting Minutes – August 21, 2014

Section 9. It is hereby determined and stated that no sum need be appropriated hereby as a down payment.

Section 10. The Borough is hereby authorized to enter into any agreements that may be necessary to effect the purchase of securities, as permitted by Sections 53(c) and 60 of the Local Bond Law, to accomplish the refunding.

Section 11. This refunding bond ordinance shall take effect twenty days after the first publication thereof after final passage as provided by the Local Bond Law.

Mr. Wolkowitz moved that Ordinance 47-2014, which the Borough Clerk read by title, be adopted. Mr. Landrigan 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, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Ms. Baillie

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.

Mr. Landrigan moved adoption of the Resolutions listed on the Consent Agenda. Mr. Catalanello seconded the motion. Attorney John Napolitano read Resolution R 247-2014 in full for the record. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Ms. Baillie

R 244-2014 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO HEWLETT PACKARD UNDER STATE CONTRACT FOR PURCHASE OF A SERVER, STORAGE AND NETWORKING HARDWARE FOR A NEW EMAIL SYSTEM

Special Meeting Minutes – August 21, 2014

WHEREAS, the Borough of Madison desires to award a contract for the purchase of server, storage and networking hardware to Hewlett Packard under state contract number M-0483/A70262 in the amount of \$40,650.60; and

WHEREAS, the purchase of goods and services by local contracting units through a state contract is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq.; and

WHEREAS, Hewlett Packard has been awarded state contract M-0383/A70262 for server, storage and networking hardware; and

WHEREAS, the Director of Technology has recommended that the Borough Council utilize this contract for the purchase of server, storage and networking hardware in the amount of \$40,650.60; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in 2014 in an amount not to exceed \$40,650.60 for this purpose which funds are available in the Technology Department Operating Budget, Account 501, Subaccount 110.

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 purchase of server, storage and networking hardware is hereby awarded to Hewlett Packard under state contract number M-0483/A70262, at a total price not to exceed \$40,650.60.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Hewlett Packard under state contract number M-0483/A70262 for the purchase of a server, storage and networking hardware at a total price not to exceed \$40,650.60, in a form acceptable to the Borough Attorney.

R 245-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CHAMBER OF COMMERCE SIDEWALK SALE SEPTEMBER 4, 2014 THROUGH SEPTEMBER 6, 2014

WHEREAS, the Madison Chamber of Commerce is hosting an End of Summer Sales event from Thursday, September 4, 2014, through Saturday, September 6, 2014; and

WHEREAS, the Madison Chamber of Commerce has requested permission to set up tables and merchandise in the downtown area beginning Thursday, September 4, 2014, through Saturday, September 6, 2014.

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

Special Meeting Minutes – August 21, 2014

Commerce is authorized to set up tables and merchandise in the downtown area beginning Thursday, September 4, 2014, through Saturday, September 6, 2014, and the sidewalk ordinance is waived for this purpose.

R 246-2014 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING RESIGNATION OF MADISON POLICE OFFICER NICHOLAS LUNETTA EFFECTIVE AUGUST 13, 2014

WHEREAS, Nicholas Lunetta, Madison Police Officer, has tendered a written resignation effective August 13, 2014.

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 resignation effective August 13, 2014 of Nicholas Lunetta as Madison Police Officer, is hereby acknowledged and accepted.

R 247-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE HIRING OF CHRISTOPHER BURANS AS A MADISON POLICE OFFICER

WHEREAS, as a result of a recent resignation there is an opening for Police Officer in the Madison Police; and

WHEREAS, upon recommendation of the Chief of Police, the Borough Council wishes to extend an offer of the position to Christopher Burans at the starting salary pursuant to the PBA Local 92 current contract.

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 Chief of Police is authorized to offer the position of Police Officer to Christopher Burans subject to the terms of the PBA Local 92 current contract and the probationary period.

INVITATION FOR DISCUSSION

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 was present, the invitation for discussion was closed.

APPROVAL OF VOUCHERS

On motion by Mr. Landrigan 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.

Special Meeting Minutes – August 21, 2014

Public Safety	\$11,928.33
Health & Public Assistance	869.91
Public Works & Engineering	145,926.90
Community Affairs	1,454.51
Finance & Borough Clerk	24,206.83
Utilities	<u>921,047.08</u>
Total	<u>\$1,405,460.08</u>

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

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

Nays: None

Absent: Ms. Baillie

ADJOURN

The Special Meeting adjourned at 9:30 a.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved September 8, 2014 (EO)