

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

September 23, 2019 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 23rd day of September, 2019. Mayor Conley called the meeting to order at 7:00 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Borough Clerk read the statement pursuant to the Open Public Meetings Act:

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 10, 2019. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Astri J. Baillie

Patrick W. Rowe

Maureen Byrne

John F. Hoover

Debra J. Coen

Absent: Carmela Vitale, excused

Also Present:

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

John Napolitano, Esq. for Matthew J. Giacobbe, Esq. Borough Attorney

Absent: Raymond M. Codey, Borough Administrator, 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)

None

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

LITIGATION MATTERS (1)

AFFORDABLE HOUSING UPDATE

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

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CONTRACT MATTERS (8)
RECYCLING CENTER CONSTRUCTION
YARD WASTE COLLECTION AND DISPOSAL
HEALTH SERVICES
BOARD OF EDUCATION-UPDATE
ELECTRIC POWER PURCHASE
HARTLEY DODGE MEMORIAL PLAZA RESTORATION
EMERGENCY STORM SEWER LINING
JACOB HENRY PERKINS TRUST
Date of public disclosure 60 days after conclusion, if disclosure required.

Seconded: Mr. Rowe
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 **Regular Meeting Minutes of February 11, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None
Absent: Mrs. Vitale

Ms. Baillie moved approval of the **Regular Meeting Minutes of April 8, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None
Absent: Mrs. Vitale

GREETINGS TO PUBLIC

Mayor Conley made the following comments:
A Memorial Service for Ben Wolkowitz was held yesterday at Temple Sinai in Summit. Mayor Conley asked for a moment of silence for Toni Scotti, daughter of Tony Donato, Theresa Rowland, Studio Yoga founder and Maria Victoria Arana Dew, wife of John Dew

AARP PRESENTATION: The Borough of Madison was recognized as an age friendly community.

Mayor Conley welcomed and introduced Lavelle Jones, AARP NJ State President

Ms. Jones acknowledged the Borough Council and Tri-Town 555+ in their collaborative age-friendly efforts.

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PROCLAMATION:

Mayor Conley presented the Museum of Early Trades and Crafts 50th Anniversary Proclamation METC Director Deb Starker, staff and board members.

**Proclamation
of the
Borough of Madison
In Recognition of the 50th Anniversary
of the Museum of Early Trades & Crafts**

WHEREAS, housed in the James Library building, which was built in 1899, the Museum of Early Trades & Crafts is listed on both the state and national registries of historic buildings and is an anchor for historic downtown Madison and a key participant in the cultural life of the community; and

WHEREAS, founded in 1969 by Edgar and Agnes Land, who provided their entire collection of 6,000 artifacts for the purpose of exploring the lives and technology of the first generations of New Jersey settlers, craftspeople, farmers and artisans; and

WHEREAS, the original museum exhibits were designed and constructed by Edgar Land, who also developed and taught programs for children to ensure the historical significance of these early immigrants and today, the museum is recognized nationally for its innovative programs and has 10,000 visitors annually, 7,000 of which are students from across the state; and

WHEREAS, in 1981, an endowment of \$100,000 was raised by Edgar Land through donations and membership and in 1995 under the guidance of Agnes Land, the museum began a capital campaign for a complete renovation, reopening on Bottle Hill Day 1997, revealing the stunning original interior and windows and new exhibit space; and

WHEREAS, in recent years, the museum created a new, more modern logo and branding and adopted a new Strategic Plan ensuring future success with a new mission to inspire a connection with New Jersey's history, culture, trades and crafts and a new vision of sharing the past and inspiring the future; and

WHEREAS, in addition to being one of New Jersey's premier history museums, the museum became the Madison Visitor Center in 2017; and

WHEREAS, serving as the steward of the historic James Library building by working with the Morris County Historic Preservation Trust and the Borough of Madison, the Museum of Early Trades and Crafts has ensured the continued conservation and preservation of the iconic building;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby congratulate the Museum of Early Trades and Crafts on its 50th Anniversary and extend best wishes for its continued success.

**Robert H. Conley, Mayor
September 23, 2019**

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REPORTS OF COMMITTEES

Public Safety

Ms. Baillie, Chair of the Committee, made the following comments:
The Madison Fire Department provided mutual aid early this morning at a commercial building fire on Main Street in the Borough of Chatham. The Borough of Madison will participate in a new emergency alert system with Morris County, 'Alert Morris'. This system will replace the current 'Nixle' system as of November 1st. Residents are encouraged to enroll online at rosenet.org.

Finance and Borough Clerk

Mrs. Vitale, Chair of the Committee, absent.

Utilities

Mr. Rowe, Chair of the Committee, made the following comments:
The new Butler Building is completed on the outside. Thanks to Russ Brown and Jim Burk for their assistance. The Line Clearance crew, Rich Tree Service, is currently in week nine of a twelve-week contract. You may see crews on your street clearing limbs and branches that are growing near our electrical wires. There have been no emergencies, no power outages and no call-outs since the last meeting. The Water Department continues Hydrant Flushing with approximately one-quarter of the town tested and flushed. Flushing will continue through the month of October. If you experience low pressure, discoloration of water or air bubbles in the water, this is temporary, and running or flushing your own outside faucet or laundry sink should alleviate the problem. The Department will also be installing new water service and hose connections at the Elks Club parking lot for the purpose of Car Wash Fundraising for various organizations.

Public Works and Engineering

Ms. Byrne, Chair of the Committee, made the following comments:
The Department of Public Works continues fall clean up, watered flower baskets and various plantings. Cut, trimmed and weeded grass and shrubbery. Assisted with the Farmers' Market setup and the PBA fund raising event. Cifelli & Son Contracting will start the water main replacement and drainage improvements on Community Place in the next week. A Complete Streets committee meeting is schedule September 18th and a pedestrian-safety "Street Smarts" program endorsed by TransOptions in Morris County is being implemented in Madison in conjunction with back to school programs this fall. The Environmental Commission held an ECO House Tour this past Saturday that was well attended.

Community Affairs

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

Health

Ms. Coen, Chair of the Committee, made the following comments:
Flu clinic dates are Wednesday, October 16th at the Civic Center from 9:00 -11:00 a.m. and Monday October 21st from 9:00 to 11:00 a.m. Madison residents may attend any scheduled clinics, and all dates are on Rosenet.org. Depending on vaccine supply additional clinics may be scheduled. The vaccine that will be administered is regular dose, which is quadrivalent, offering 4 strains of protection and NOT the high dose.

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COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Letter dated September 19, 2019 from residents of Norman Circle regarding ground water runoff.

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.**

Thomas Haralampoudis; Pomeroy Road, raised concern regarding enforcement of the proposed ban on plastic bags ordinance, and suggested that takeout foods should be exempt.

AGENDA DISCUSSIONS

09/23/2019-1 BOROUGH SURPLUS POLICY – S. Rogut, V. Dolan
Mr. Burnet provided information regarding municipal surplus guidelines available on the Borough website. Mr. Burnet also noted an Ad Hoc committee formed to discuss municipal surplus. Bond Counsel Steven Rogut explained bond ratings and municipal surplus, long term trends, noting limits on taxation, litigation and affordable housing obligations. There was consensus to discuss surplus further with the 2020 municipal budget.

09/23/2019-2 Item Removed

09/23/2019-3 HEALTH SERVICES

Ms. Coen explained a proposed resolution to renew a contract with the Township of Bloomfield for Health Services, noting Madison will no longer be a provider of health services to other communities.

Resolution 274-2019 is listed on the Consent Agenda.

09/23/2019-4 ELECTRIC VEHICLE CHARGING STATION

Lisa Ellis, Director of Business Development explained a proposed ordinance for a reimbursable grant for an electric vehicle charging station, noting five possible locations, with cost to the consumer.

Ordinance 48-2019 is listed for Introduction.

09/23/2019-5 POLICE FIRE ARMS TRAINING FACILITY

Police Lt Joseph Longo provide Council information regarding proposed construction of a new Police Fire Arms Training Facility to the Borough's John Street facility. An appropriations ordinance will be listed on the next Council meeting agenda.

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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 September 9, 2019, 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 44-2019
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CH. 185 OF
THE BOROUGH CODE ENTITLED "VEHICLES AND TRAFFIC" TO
DELETE VALLEY ROAD AS A THROUGH STREET**

WHEREAS, the Borough Administrator has recommended that Chapter 185-35 of the Borough Code, entitled "Vehicles and Traffic", be amended to delete Valley Road as a through street to allow the Engineering and Police Departments to pursue enhanced traffic calming measures; and

WHEREAS, the Borough Council has determined that Valley Road should be deleted from Ch. 185-35 as a through street to allow for additional traffic calming measures.

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

SECTION 1: Chapter 185-35 of the Borough Code is amended to delete Valley Road as a through street

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

Mayor Conley opened up the public hearing on Ordinance 44-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 44-2019, 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: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Absent: Mrs. Vitale

Mayor Conley declared Ordinance 44-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 45-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$65,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
EMERGENCY STORM SEWER LINING REPAIR BETWEEN LOVELAND
STREET AND ANTHONY DRIVE**

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WHEREAS, the Borough Engineer has advised the Council that a storm sewer is in imminent danger of failure and collapse between Loveland Street and Anthony Drive requiring emergency replacement in order to protect the health and welfare of the public; and

WHEREAS, the Borough Engineer has requested that the Borough appropriate \$65,000.00 from the General Capital Improvement Fund to pay for these emergency repairs; 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 \$65,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$65,000.00 from the General Capital Improvement Fund for the emergency repair of the storm sewer between Loveland Street and Anthony Drive.

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 \$65,000.00 is hereby appropriated from the General Capital Improvement Fund for the emergency repair of the storm sewer between Loveland Street and Anthony Drive.

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 45-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 45-2019, which was read by title, be finally adopted. Mr. Hoover seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Absent: Mrs. Vitale

Mayor Conley declared Ordinance 45-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 46-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$100,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE DEPARTMENT OF PUBLIC WORKS RECYCLING CENTER
PROJECT**

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WHEREAS, Ordinance 34-2019 appropriates \$110,000.00 from the General Capital Improvement Fund for the Department of Public Works Recycling Center; and

WHEREAS, the Assistant Borough Engineer has recommended that the Borough appropriate an additional \$100,000.00 from the General Capital Improvement Fund for the Department of Public Works Recycling Center project; and

WHEREAS, funds are available in the General Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

WHEREAS, the Borough Council has determined that the Borough should appropriate an additional \$100,000.00 from the General Capital Improvement Fund for the Department of Public Works Recycling Center project.

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 \$100,000.00 is hereby appropriated from the General Capital Improvement Fund for the Department of Public Works Recycling Center project.

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 46-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 46-2019, which was read by title, be finally adopted. Mr. Hoover seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Absent: Mrs. Vitale

Mayor Conley declared Ordinance 46-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

INVITATION FOR DISCUSSION (2 of 2)

Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record.

He/she shall limit his/her statement to three (3) minutes or less.

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Thomas Haralampoudis; Pomeroy Road, asked Council to consider Livsey Park as a drop off/pick up area to improve pedestrian safety at the Kings Road Elementary School.

Claire Whitcomb; Fairwood Road, Chairperson of the Madison Environmental Commission, supported the introduction of an ordinance to ban the use of plastic bags, noting surrounding town introducing similar legislation.

Sandra LeVigne; Hackettstown, representing the Great Swamp Watershed Association, thanked the Council for the introduction of an ordinance to ban the use of plastic bags.

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 October 16, 2019 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 47-2019 ORDINANCE OF THE BOROUGH OF MADISON
PROHIBITING THE USE OF PLASTIC BAGS AND REGULATING THE USE OF
PAPER BAGS BY RETAIL ESTABLISHMENTS WITHIN THE BOROUGH OF
MADISON

The purpose of this Ordinance is to encourage the use of reusable bags by customers by reducing the use of disposable paper and plastic non-reusable check out bags by retail establishments in the Borough of Madison.

WHEREAS, on average, one person uses 500 single-use disposable bags per year, 4 billion single use shopping bags are used annually in New Jersey, and 102 billion are used nationwide; and

WHEREAS, windblown plastic bags degrade our land and waterways, and 80% of the plastic and trash that finds its way into our oceans comes from the land; and

WHEREAS, 12 million barrels of oil are used annually to manufacture the plastic bags that Americans use; and

WHEREAS, according to the EPA, seabirds, fish, and other marine and land-based wildlife mistake plastic for food, while others can become entangled in the plastic trash, thus leading to exhaustion, starvation, and eventual death; and

WHEREAS, plastic breaks down into microplastics that measure 5 millimeters or less, which are ingested by shrimp, plankton, fish, birds, turtles,

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and other sea creatures. Microplastics absorb toxic chemicals, harms marine life, and can be consumed by humans via seafood and potable water; and

WHEREAS, it is beyond dispute that the use of single-use, plastic carryout bags has a severe and negative environmental impact on the local and global environment as a result of the greenhouse gas emissions emitted to produce such bags, the land-based and ocean-based pollution created, the hazards posed to wildlife, the hazards posed to sources of water for humans, and the negative impact on the ecosystem and food chain as a whole; and

WHEREAS, 5% or fewer single-use carryout bags are actually recycled; and

WHEREAS, the Borough of Madison taxpayers currently bear the costs associated with the negative impact of plastic, single-use carryout bags; and

WHEREAS, the Borough of Madison taxpayers currently bear the costs associated with improper placement of plastic bags in recycling containers resulting in increased costs for contaminated recycling; and

WHEREAS, the use of paper carry-out bags has a present adverse impact on the environment, this impact is less than single use plastic carry-out bags as plastic bags may take hundreds of years to degrade releasing toxic materials during the process; and

WHEREAS, Madison Borough residents understand that reusable bags consume far less energy and natural resources than single use plastic carry-out bags and paper carry out bags; and

WHEREAS, the Borough of Madison desires to reduce the number of disposable paper and plastic checkout bags that are being burned, used, discarded and littered and to promote the use of reusable checkout bags by retail establishments located within the Borough of Madison; and

WHEREAS, the Borough Council of the Borough of Madison finds that the reduction in the use of disposable paper and plastic checkout bags by retail establishments within the Borough of Madison promotes a legitimate public purpose; and

WHEREAS, in accordance with N.J.S.A. 40:48-2, a municipality in New Jersey may enact such ordinances "as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants"; and

WHEREAS, regulating the use of plastic bags and paper bags will preserve the public health, safety, and welfare of the municipality.

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

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Section 1. Chapter 136A (Plastic Bags, Single Use) of the Code of the Borough of Madison is hereby inserted to read as follows:

136A-1 DEFINITIONS

As used in this Chapter, the following terms shall have the meanings indicated.

Customer Any person purchasing goods or services from a retail establishment.

Operator Any person in control of, or having the responsibility for, the operation of a retail establishment, which may include, but is not limited to, the owner of the retail establishment.

Person Any natural person, firm, corporation, partnership, or other organization or group however organized.

Reusable Bag Any bag with handles that is specifically designed and manufactured to withstand repeated uses over a period of time and is made from cotton cloth or other washable fabric, polyester, polypropylene, or other durable material or plastic that is at least 10 mils in thickness and meets the following criteria:

- Has a minimum life capability of 125 or more uses carrying 22 or more pounds over a distance of at least 175 feet; and
- Is machine washable or is made from a material that can be cleaned or disinfected.

Single use plastic carry-out bag Any bag made predominantly of plastic that is not made or intended for reuse that is provided by an operator of a retail establishment to a customer at the point of sale. This definition specifically exempts the following from the category of "Single Use Plastic Carry-out Bag":

(a) Bags provided by operators and used by consumers inside retail establishments to:

- package bulk items, such as fruit, vegetables, nuts, grains, candies, or small hardware items;
- contain or wrap frozen foods, meat, or fish, whether packaged or not;
- contain or wrap flowers, potted plants, or other items where dampness may be an issue;
- contain live animals, such as fish or insects sold in pet stores;
- contain unwrapped prepared foods or bakery goods; or

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- contain pharmacy prescriptions or medicines; or
 - function as "produce bags" or "product bags," which shall mean bags used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or, for reasons of public health and safety, to prevent such food items from coming into direct contact with other purchased items.
- (b) Newspaper bags for home delivery, door-hanger bags, laundry and/or dry-cleaning bags, or bags sold in packages containing multiple bags intended for use as food storage bags, garbage bags, yard waste bags, or pet waste bags.

Retail Establishment Any store or commercial establishment that sells perishable or nonperishable goods including, but not limited to, clothing, food, and personal items directly to the customer and is located within the geographical limits of the Borough of Madison. Retail establishments include: a business establishment that generates a sales or use-tax; a drug store, pharmacy, supermarket, grocery store, convenience food store, food mart, or other commercial entity engaged in the retail sale of a limited line of goods that include milk, bread, soda, and snack foods; a public eating establishment (i.e., a restaurant, take-out food establishment, or any other business that prepares and sells prepared food to be eaten on or off its premises); and business establishment that sells clothing, a hardware store, or any other non-perishable goods.

136A-2: USE PROHIBITED; EFFECTIVE DATE

- A. Effective March 1, 2020, no retail establishment shall provide to any customer, or to any person, a single use plastic carry-out bag, as defined in above. This prohibition applies to bags provided for the purpose of carrying goods away from the point of sale and does not apply to product bags or produce bags used to carry product(s) or produce within the retail establishment to the point of sale. The prohibition applies to single use plastic carry-out bags used for take-out deliveries from retail establishments within the Borough of Madison. The point of sale in such transactions is deemed to be at the retail establishment, regardless of where payment for the transaction physically occurs.
- B. Effective March 1, 2020, single use plastic carry-out bags may not be distributed on Borough property or at Borough-sponsored events.

136A-3: MANDATORY FEE; EFFECTIVE DATE

- A. Effective March 1, 2020, all retail establishments shall make available to customers, upon request by the customer, for a fee of .10 (ten cents) per bag, paper bags for the purpose of carrying goods or other materials away from the point of sale, subject to the provisions of this Ordinance.

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The fee charged shall be reflected in the sales receipt and shall be subject to applicable tax. The fee charged shall be retained by the retail establishment.

- B. The following bags provided by operators of retail establishments shall be exempt from the .10 (ten cents) fee:
- (1) Bags to package bulk items, such as fruit, vegetables, nuts, grains, candies, or small hardware items;
 - (2) Bags that contain unwrapped prepared foods or bakery goods;
 - (3) Bags to take home uneaten food that has been served in a restaurant;
 - (4) Take out foods intended for consumption away from the retail establishment for reasons of public health and safety during the transportation of such food products;
 - (5) Bags that contain pharmacy prescriptions and medicinal products; or
 - (6) Bags that function as "produce bags" or "product bags," which shall mean bags used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or, for reasons of public health and safety, to prevent such food items from coming into direct contact with other purchased items.

136A-4: PROMOTION OF REUSABLE BAGS

- (A) Each retail establishment shall be strongly encouraged to educate its staff to promote the use of reusable bags and to post signs encouraging customers to use reusable bags rather than paper carry-out bags.
- (B) Each retail establishment shall be strongly encouraged to educate its staff to ask customers if they have their own reusable bags before offering paper carry-out bags to the customer.
- (C) Each retail establishment shall inform customers that if they choose a paper carry-out bag they will be charged a fee of .10 (ten cents) per paper bag.
- (D) Nothing in this Ordinance prohibits customers from using bags of any type that they choose to bring to retail establishments themselves, in lieu of using bags available for a fee from the retail establishment, or from carrying away goods that are not placed in a bag.
- (E) Nothing in this Ordinance shall prohibit a retail establishment from providing a credit to a customer who has supplied his/her own bags.

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- (F) Nothing in this Ordinance shall prohibit a retail establishment from offering for sale reusable bags, including those made of cloth or other fabric with handles that are specifically designed and manufactured for multiple reuse, for a fee of .10 (ten cents) or greater.
- (G) The Borough of Madison shall undertake a reusable bag education program that includes:
 - (1) distributing information and free reusable bags as part of a Bring Your Own Bag (BYOB) campaign; and
 - (2) maintaining "Give One Take One" reusable bag collection boxes in municipal and other facilities.

136A-5: EXEMPT CUSTOMERS

- (A) Any customer who states that she or he participates in, or is a beneficiary of, any United States government federal welfare program, including but not limited to the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) or any local or County welfare assistance program, or any New Jersey State welfare program, including but not limited to the New Jersey Supplemental Nutritional Assistance Program (SNAP) or the New Jersey State Supplemental Security Income Program (SSI) shall be provided paper bags without charge. No further identification is necessary.
- (B) Any person who receives food, household items and/or personal care items from a food pantry or food distribution program shall be provided paper or reusable bags without charge.

136A-6: ENFORCEMENT / PENALTIES

- (A) The Madison Health Officer and/or his/her designee has the responsibility for enforcement of this Ordinance and may promulgate reasonable rules and regulations in order to enforce the provisions thereof, including, but not limited to, investigating violations and issuing Summons and fines.
- (B) Any retail establishment that willfully violates or fails to comply with any of the requirements of this Ordinance after an initial written warning notice has been issued for that violation shall be liable for an infraction.
- (C) If a retail establishment has subsequent violations of this Ordinance after the issuance of an initial written warning notice of a violation a Summons will be issued and, the following penalties will be imposed and payable by the operator of the retail establishment:

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- a. \$100.00 for the first violation after the first written warning notice is given;
 - b. \$200.00 for the second violation after the written warning notice is given; and
 - c. \$500.00 for the third and any subsequent violations after the written warning notice is given
- (D) Fines shall be imposed for each day a violation occurs or is allowed to continue. A retail establishment shall not be subject to more than one fine for violations or continuing violations that occur on the same day.
- (E) Appeal of a written warning notice or fine shall be conducted pursuant to standard municipal regulations and procedures concerning matters to be heard in the Joint Municipal Court of Madison, the Chathams, Harding and Morris Township.

Section 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Ms. Byrne moved that Ordinance 47-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Absent: Mrs. Vitale

**ORDINANCE 48-2019 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR ELECTRIC VEHICLE CHARGING STATIONS**

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Ms. Byrne moved that Ordinance 48-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None
Absent: Mrs. Vitale

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. Rowe seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None
Absent: Mrs. Vitale

R 267-2019 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING CONTRACT TO MATINA & SON, INC. OF HACKENSACK, N.J. IN AN
AMOUNT NOT TO EXCEED \$275,000.00 FOR THE RECYCLING CENTER
CONSTRUCTION PROJECT

WHEREAS, the Borough of Madison publicly advertised for bids for the Recycling Center Construction Project (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the lowest qualified bid was submitted by Matina and Son, Inc. in the bid amount of \$275,000.00; and

WHEREAS, the Assistant Borough Engineer has recommended that the Borough Council award the contract to the lowest responsible bidder, Matina and Son, Inc., in an amount not to exceed \$275,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$275,000.00 for this purpose which funds were appropriated by Ordinances 34-2019 and 46-2019 with the remainder funded through Recycling grant funds.

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

1. The contract for the Recycling Center Construction Project is hereby awarded to Matina and Son, Inc., based upon its lowest responsible bid in an amount not to exceed \$275,000.00.

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2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Matina and Son, Inc. in a form acceptable to the Borough Attorney.

R 268-2019 RESOLUTION OF THE BOROUGH OF MADISON REJECTING BIDS FOR YARD WASTE COLLECTION AND DISPOSAL AND AUTHORIZATION FOR REBID

WHEREAS, the Borough of Madison publicly advertised for bids for Yard Waste Collection and Disposal in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, one (1) bid was received from Waste Industries, LLC and the Borough Attorney determined that the sole bidder was unresponsive; and

WHEREAS, the Qualified Purchasing Agent/Personnel Officer has recommended that the bid be rejected pursuant to N.J.S.A. 40A:11-13.2(a) and rebid;

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 sole bid received from Waste Industries, LLC on September 12, 2019 for Yard Waste Collection and Disposal is hereby rejected for the reasons set forth herein and the Borough Administrator is authorized to solicit new bids.

R 269-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING 35TH ANNUAL GIRALDA FARMS RUN ON SUNDAY, NOVEMBER 10, 2019

WHEREAS, the Barwick Group has requested permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run; and

WHEREAS, the Police Chief recommends approval of this request; and

WHEREAS, the Barwick Group has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

WHEREAS, the Borough Council has reviewed said request and determined that it should be granted.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Barwick Group is hereby granted permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run to be conducted on Sunday, November 10, 2019, between the

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hours of 6:00 a.m. and 3:00 p.m. subject to the condition that the Barwick Group provide the Borough Clerk with the required Certificate of Insurance before the date of the race and reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

R 270-2019 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR PURCHASE OF TWO (2) 48" BOBCAT WALK BEHIND MOWERS FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough Director of Public Works has recommended that the Borough Council award the contract to Morris Plains Small Engine, Inc., of East Hanover, N.J. for the purchase of two (2) 48" Bobcat walk behind mowers for the Department of Public Works, in the amount of \$11,990.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$11,990.00 for this purpose in Ordinance 28-2019.

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

1. The contract for the purchase of two (2) 48" Bobcat walk behind mowers is hereby awarded to Morris Plains Small Engine, Inc. in the amount of \$11,990.00.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Morris Plains Small Engine, Inc., in a form acceptable to the Borough Attorney.

R 271-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPROVAL OF TEMPORARY SIGNS FOR MADISON HIGH SCHOOL BAND TOURNAMENT OF BANDS

WHEREAS, the Madison High School Marching Band has requested permission to put up temporary signs advertising the Tournament of Bands, September 29th at 1:00 p.m.; and

WHEREAS, the signs would be located at the Madison Public Library, the Madison Recreation Complex (MRC), and public rights of way to be removed by October 2, 2019; and

WHEREAS, the Zoning Officer has recommended that a temporary sign permit be issued.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of

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Madison, in the County of Morris and State of New Jersey, that the request of the Madison High School Marching Band to put up temporary signs as described herein.

R 272-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF JULIA SINATRA TO THE POSITION OF INTERN

WHEREAS, the QPA/Personnel Director has recommended the appointment of Julia Sinatra as a part-time Intern for the Farmers' Market; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Julia Sinatra as a part-time Intern for the Farmers' Market, at the rate of pay of \$12.00 per hour is hereby ratified, effective immediately.

R 273-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERNS MADDY MEYER AND BAILEY COMEAU AS PART-TIME, UNPAID INTERNS FOR THE FARMERS' MARKET

WHEREAS, the QPA/Personnel Director has recommended the appointment of Maddy Meyer and Bailey Comeau, as part-time unpaid Interns for the Farmers' Market; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Maddy Meyer and Bailey Comeau, as part-time unpaid Interns for the Farmers' Market, is hereby approved.

R 274-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING NEGOTIATION OF A RENEWAL AGREEMENT FOR HEALTH SERVICES WITH THE BLOOMFIELD BOARD OF HEALTH

WHEREAS, the Borough of Madison wishes to negotiate a renewal contract with the Township of Bloomfield Board of Health for health services of a technical and professional nature as hereinafter set forth, in consideration of payment as hereinafter provided, all according to N.J.S.A. 26:3A2-1 et seq.; and

WHEREAS, the Borough Council has determined to authorize the negotiation of an agreement with the Bloomfield Board of Health.

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

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Financial Officer are hereby authorized to negotiate a renewal contract for health services and the Mayor and Borough Clerk are authorized to execute such Agreement with the Bloomfield Board of Health in a form approved by the Borough Attorney.

R 275-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE MADISON BOARD OF EDUCATION TO PROVIDE A SPECIAL LAW ENFORCEMENT OFFICER II

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 authorizes local governmental entities to enter into an agreement, among other things, for the sharing of services; and

WHEREAS, the Madison Board of Education (BOE) and the Borough of Madison wish to renew an agreement under which the Borough agrees to provide one (1) Class 2 Special Resource Officer (SRO) to the BOE to be paid for by the BOE, but managed by the Borough of Madison Police Department; and

WHEREAS, the Madison Borough Council has determined to renew said shared services agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into a Shared Services agreement with Madison Board of Education for the provision of a (1) Class 2 Special Resource Officer (SRO), such agreement to be in a form approved by the Madison Borough Attorney.

R 276-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE USE OF UP TO \$5,500.00 IN MUNICIPAL OPEN SPACE TRUST FUNDS FOR FORESTRY MOWING AT THE MADISON RECREATION CENTER

WHEREAS, the QPA/Personnel Director has requested authorization to enter into an agreement of forestry mowing of approximately 8.2 acres at the Madison Recreation Center (MRC); and

WHEREAS, Ordinance 21-2019 appropriates funding from the Municipal Open Space Trust Fund to implement a conservation management plan for the MRC, as approved by the Open Space Advisory Committee; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in Ordinance 21-2019 in an amount not to exceed \$5,500.00 for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that up to \$5,500.00 is

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hereby authorized to be allocated from Ordinance 21-2019 for forestry mowing at the Madison Recreation Center.

R 277-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF TWO (2) POLICE VEHICLES FROM BEYER FORD OF MORRISTOWN, NEW JERSEY

WHEREAS, the Borough of Madison desires to purchase two (2) 2020 Ford Hybrid Police Interceptor vehicles for the Police Department from an authorized vendor under Cranford Police Cooperative Pricing Council (CPCPS) Contract #47-CPCPS, Item #2; and

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

WHEREAS, Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey has been awarded Cranford Police Cooperative Pricing Council #47-CPCPS, Item #2; and

WHEREAS, the Chief of Police has recommended that the Borough Council utilize this contract for the purchase of two (2) 2020 Ford Hybrid Police Interceptor vehicles, and accessory equipment in the amount of \$85,494.00; and

WHEREAS, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$85,494.00 for this purpose in the Police Trust/Vehicle account, T03-56-852-001 and in the 2019 Police Operating 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 purchase of two (2) 2020 Ford Hybrid Police Interceptor vehicles and accessory equipment from Beyer Ford, at a total price not to exceed \$85,494.00 is hereby approved under the Cranford Police Cooperative Pricing Council (CPCPS) Contract #47-CPCPS, Item #2.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Beyer Ford for the purchase of two (2) 2020 Ford Hybrid Police Interceptor vehicles and accessory equipment at a total price not to exceed \$85,494.00, in a form acceptable to the Borough Attorney.

R 278-2019 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING A GRANT FROM THE "IT PAY\$ TO PLUG IN: NJ'S ELECTRIC VEHICLE CHARGING GRANTS PROGRAM" THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

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WHEREAS, the Borough of Madison has applied for and has been awarded a grant in the amount of \$30,000.00 from the “It Pay\$ to Plug In: NJ’s Electric Vehicle Charging Grants Program” through the Department of Environmental Protection for Electric Vehicle Charging Station.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris in the State of New Jersey that the above referenced grant is hereby accepted and that the Chief Financial Officer is hereby authorized to execute grant documents as authorized representatives for the Borough of Madison

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New Jersey Department of Environmental Protection.

R 279-2019 RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE HARTLEY DODGE MEMORIAL PLAZA RESTORATION AND AUTHORIZING REBID

WHEREAS, the Borough of Madison publicly advertised for bids for the Hartley Dodge Memorial Plaza Restoration project in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Borough received two (2) bids of which the lowest bid had a base price of \$1,644,242.00 which exceeds the appropriation ordinance and architect estimate; and

WHEREAS, the Borough Attorney has opined that rejection of the bids is appropriate pursuant to statutory authority.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that all bids for the Hartley Dodge Memorial Plaza Restoration are hereby rejected for the reasons set forth herein and the Qualified Purchasing Agent/Personnel Director and Borough Engineer is hereby authorized to rebid the project.

R 280-2019 RESOLUTION OF THE BOROUGH OF MADISON AWARDDING CONTRACT TO NATIONAL WATER MAIN CLEANING COMPANY, INC. IN THE AMOUNT OF \$62,000.00 FOR EMERGENCY SEWER LINING

WHEREAS, the Borough Engineer has advised the Council that a storm sewer is in imminent danger of failure and collapse between Loveland Street and Anthony Drive requiring emergency replacement in order to protect the health and welfare of the public; and

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WHEREAS, the Borough Engineer recommends that the Borough Council award a contract to National Water Main Cleaning Company, Inc. in the amount of \$62,000.00 for emergency sewer lining repairs; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$62,000.00 for this purpose in Ordinance 45-2019.

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 emergency Sewer Lining Repair is hereby awarded to National Water Main Cleaning Company, Inc. in the amount of \$62,000.00.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with National Water Main Cleaning Company, Inc. in a form acceptable to the Borough Attorney.

R 281-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING JACOB HENRY PERKINS TRUST FUND DISBURSEMENT

WHEREAS, the Borough Administrator has recommended a grant in the amount up to \$5,000.00 from the Jacob Henry Perkins Trust Fund (hereafter Perkins Trust) on behalf of Mr. & Mrs. T., Borough residents; and

WHEREAS, the Borough Administrator has advised the Borough Council that Mr. & Mrs. T. meet the criteria for a Perkins Trust grant; and

WHEREAS, the Borough Council has determined to approve the request for a Perkins Trust grant; and

WHEREAS, the Borough Administrator recommends approving the disbursement of the grant for the above cited purpose.

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 grant is hereby approved from the Perkins Trust to pay up to \$5,000.00, for the benefit of Mr. & Mrs. T., as they meet the criteria of the Perkins Trust and continue to reside in the Borough of Madison.
2. A copy of this resolution will be forwarded to the Borough Administrator.

R 282-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE AND INSTALLATION OF NEW GARAGE DOORS AND RELATED WORK FOR THE DEPARTMENT OF PUBLIC WORKS

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WHEREAS, the Director of Public Works desires to purchase and install new garage doors and related work at the Public Works Municipal Garage; and

WHEREAS, the Borough Administrator has recommended that the Borough Council authorize a contract for the purchase and installation of new window and related work with New Jersey Door Works in the amount of \$33,810.00; and

WHEREAS, funds are available in Ordinance 30-2019 or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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 purchase and installation of new garage doors and related work, at a total price not to exceed \$33,810.00 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to New Jersey Door Works, of Hillside, N.J., for the purchase and installation of new garage doors and related work, at a total price not to exceed \$33,810.00, in a form acceptable to the Borough Attorney.

R 283-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY PTSO MADISON HIGH 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:

PTSO MADISON HIGH SCHOOL
I.D. NO. 274-5-33795
R.A. No. 1490 On-premise 50/50
January 30, 2020

R 284-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MADISON YARD SALE SATURDAY, OCTOBER 19, 2019

WHEREAS, the Environmental Commission has recommended to the Borough Council that a town wide Madison Yard Sale Saturday be held in the Borough of Madison on Saturday, October 19, 2019, from 9:00 a.m. to 1:00 p.m.; and

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WHEREAS, the Borough Council recognizes that the Madison Yard Sale Saturday is a welcome addition to the Borough in that it creates a community event while encouraging recycling and reuse of household goods; and

WHEREAS, the Borough Council finds that it is a benefit to the Borough of Madison and its citizens to allow a town wide Madison Yard Sale Saturday.

“NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison County of Morris, State of New Jersey endorses the town wide Madison Yard Sale Saturday and the requirements of the Sign Ordinance (Chapter 195 of the Madison Borough Code) shall not apply to the extent that the Madison Yard Sale Saturday shall be permitted to have signs promoting this event.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Ms. Baillie, seconded by Mr. Rowe 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.

Current Fund	\$3,941,743.43
General Capital Fund	53,599.51
Electric Operating Fund	686,300.09
Electric Capital Fund	55,529.27
Water Operating Fund	2,225.48
Water Capital Fund	0.00
Trusts	<u>42,242.38</u>
Total	<u>\$4,781,640.16</u>

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

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Absent: Mrs. Vitale

NEW BUSINESS

Mayor Conley announced the following appointment and requested Council confirmation:

PARKS ADVISORY COMMITTEE

David Miller, 50 Dean Street, for a unexpired one year term through December 31, 2019.

Ms. Baillie moved of the foregoing appointment. Mr. Rowe seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

Absent: Mrs. Vitale

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ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved October 28, 2019 (EO)