

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

October 28, 2013 – 7:30 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 28th day of October, 2013. Mayor Conley called the meeting to order at 7:30 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 3, 2013. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Robert G. Catalanello

Robert Landrigan

Carmela Vitale

Astri J. Baillie

Benjamin Wolkowitz

Edward T. Rebholz

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mrs. Vitale moved:

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

MINUTES FOR APPROVAL (1)

none

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

CONTRACT MATTERS (2)

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TOWNSHIP OF CRANFORD PUBLIC HEALTH SERVICES
GVRs UPDATE

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

PERSONNEL MATTERS (1)
ELECTRIC UTILITY

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. Mayor Conley asked for a moment of silence for the passing of two retired Borough employees, Peter J. McLaughlin, Sr. and Lieutenant Anthony “Zeke” DeVincenzo.

APPROVAL OF MINUTES - None

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley presented a proclamation proclaiming Pancreatic Cancer Awareness Month – November 2013 to Dennis Salko.

**Proclamation
of the
Borough of Madison
Proclaiming
Pancreatic Cancer Awareness Month
November 2013**

WHEREAS, in 2013 an estimated 45,220 people will be diagnosed with pancreatic cancer in the United States and 38,460 will die from the disease; and

WHEREAS, pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is late stage and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and

WHEREAS, approximately 1,180 deaths will occur in New Jersey in 2013; and

WHEREAS, the incidence and death rate for pancreatic cancer are increasing and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the U.S. by 2020; and

WHEREAS, the U.S. Congress passed the *Recalcitrant Cancer Research Act* last year, which calls on the National Cancer Institute to develop a scientific framework,

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or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

WHEREAS, the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in the Borough of Madison and nationwide through a comprehensive approach that includes public policy, research funding, patient services and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, the Pancreatic Cancer Action Network and its affiliates in the Borough of Madison support those patients currently battling pancreatic cancer, as well as those who have lost their lives to the disease and are committed to nothing less than a cure; and

WHEREAS, the good health and well-being of the residents of the Borough of Madison are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, proclaim the month of November 2013 as Pancreatic Cancer Awareness Month in the Borough of Madison.

Robert H. Conley, Mayor
October 28, 2013

Mayor Conley presented a proclamation honoring Katelyn Baumgartner for her dedication and commitment to the 4-H Club.

**Proclamation
of the
Borough of Madison
Presented to
KATELYN BAUMGARTNER**

WHEREAS, 4-H is the nation's largest youth development organization with "hands-on" learning programs; and

WHEREAS, Katelyn Baumgartner joined the 4-H and its 4-Footed Leaders Seeing Eye Puppy Raisers Club when she was nine years old and has since competed eights dogs; and

WHEREAS, Katelyn was named Morris County's 2012 4-H'er of the Year for her leadership, community service and participation in three 4-H clubs; and

WHEREAS, Katelyn has also volunteered at OMK (Operation Military Kids) Camp and the 4-H Teen Conference, which she co-chaired last year; and

WHEREAS, every year Katelyn participates in the Morris County 4-H fair by working the booths, the chicken barbecue and entering many events including the Seeing Eye Dog Show and Quiz Bowl; and

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WHEREAS, this year’s Morris County 4-H Fair was held from July 18th through July 21st at Chubb Park in Chester Township; and

WHEREAS, Katelyn and her Seeing Eye dog, “Yogi” competed in the Seeing Eye Class of the Dog Show and earned a “Best in Show” for their teamwork;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby extend congratulations to **Katelyn Baumgartner** for winning this award and for her dedication and commitment to the 4-H.

Robert H. Conley, Mayor
October 28, 2013

REPORTS OF COMMITTEES

Health

Mrs. Vitale of the Committee made the following comments:
The Madison Health Department continues to administer flu vaccines. Residents are advised to call for an appointment. The Health Department is also holding an Adult Health screening on Wednesday, December 4th. Registration begins November 7th and fees are \$25.00. A rabies clinic will be held in December, with more information to follow.

Public Works and Engineering

Mr. Catalanello, Chair of the Committee, made the following comments:
Leaf recycling pick up began today and leaf bags are available at Borough offices. The Bayley Ellard Sports Field parking lot project is now complete and new signage will be installed this week. The repaving of a portion of the parking lot at the Madison Recreation Center is underway and a new boiler at the Hartley Dodge Memorial is expected to be completed this week.

Community Affairs

Mr. Landrigan, Chair of the Committee, made the following comments:
The Madison Arts and Cultural Alliance and Downtown Development Commission art auction held last Friday October 18th was very successful. Mr. Landrigan wished residents a happy and safe Halloween.

Public Safety

Ms. Baillie, Chair of the Committee, made the following comments:
The Madison Fire Department has been selected by the Morris County Daily Record as the “Best of the Best” in Morris County. Members of the Fire Department participated in a bi-annual County airport fire drill with departments from surrounding communities.

Finance and Borough Clerk

Mr. Wolkowitz, Chair of the Committee, made the following comments:
Mr. Wolkowitz reminded residents of the November 5th General Election. Mr. Wolkowitz noted that the first Federal Emergency Management Agency (FEMA) reimbursement funds, in the amount of \$146,000 for last year’s super storm Sandy, has been received. Mr. Wolkowitz noted that union contract negotiations will begin soon, and a new JCP&L electric feeder line meter has been installed.

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Utilities

Mr. Rebholz, Chair of the Committee, made the following comments:
The Water Department continues annual flushing of fire hydrants along Main Street, Park Avenue, Prospect Street and Lincoln Place, and is in the process of taking water samples for state required water testing. The Electric Department is replacing electric line poles along Hillcrest Road, Highview Terrace, Oxford Court, and Canterbury Road, and has hired an engineering firm to analyze Borough transformers. A report is expected in a few weeks. The Electric Department is also replacing pole lighting at the Borough flag pole, as well as monument lighting at the MRC.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

E-mail received October 20, 2013 from Marilyn Museilski, Academy Road regarding paving of Academy Road

Letter received October 28, 2013 from Jim Damiano, Cook Avenue, regarding his neighbor's trash cans

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

10/28/2013-1 STRATEGIC PLANNING PROCESS

Mr. Wolkowitz provided an over view of the key elements of the proposed Strategic Planning Process including the four main areas to be planned as Capital, Fiscal Management (Budgeting), Electric Utility and Business Operations. Mr. Wolkowitz asked that interested residents contact the Mayor or Council by year's end and noted appointments will be made at the annual Reorganization meeting held January 1st. There was agreement with Mr. Catalanello suggestion to appoint Council members as liaison to each committee.

10/28/2013-2 RENEW AGREEMENT FOR 911 EMERGENCY MEDICAL TELEPHONE CALL SCREENING

Mr. Codey explained a requested from Police Chief Darren Dachisen to renew a contract with Monmouth-Ocean Hospital Service Corporation for 911 emergency medical telephone call screening. There was no objection to listing a resolution on the Consent Agenda.

Resolution R 294-2013 is listed on Consent Agenda.

10/28/2013-3 Item Removed

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10/28/2013-4 VETERANS PLAQUE - MADISON RECREATION COMPLEX
Mr. Landrigan noted a request authorization to install a plaque to honour all veterans at the Madison Recreation Complex. Mr. Landrigan read the proposed inscription for the plaque. There was agreement to list a resolution on the Consent Agenda

Resolution R 298-2013 is listed on Consent Agenda.

ADVERTISED HEARINGS – None

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.

Laura Cantor, Academy Road, noted her determination to ask for roadway reconstruction work on Academy Road.

Don Brunner, Redmond Terrace, asked if the Borough has considered extend hours at the Public Library.

Marybeth Forte, Academy Road, noted that residents of Academy Road ask that reconstruction of the roadway not be forgotten.

Kevin Kilgore, Academy Road, noted several streets surrounding Academy Road have been repaved and asked why Academy Road was not included. Mr. Kilgore asked that repaving of Academy Road be added to the 2014 budget.

Sam Cerciello, Park Avenue, inquired about the repaving of Main Street in the area of the Whole Foods Market and asked that the Farmers' Market be moved to another location other than Green Village Road next year. Mr. Cerciello suggested that the Madison Board of Education move to the Hartley Dodge Memorial.

INTRODUCTION OF ORDINANCES - 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.

Mrs. Vitale 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. Rebholz

Nays: None

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R 294-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RENEWAL OF A CONTRACT WITH MONMOUTH OCEAN HOSPITAL SERVICES CORP., TO PROVIDE EMERGENCY MEDICAL DISPATCHING SERVICES FOR A THREE YEAR TERM BEGINNING JANUARY 1, 2014 THROUGH DECEMBER 31, 2016

WHEREAS, N.J.A.C. 17:24-1.1, et seq. requires that the municipality provide pre-arrival health-care instructions be given by the phone operator/dispatcher/police officer on all emergency medical-related calls; and

WHEREAS, the Police Chief has recommended the Borough retain the professional services of Monmouth Ocean Hospital Services Corp., to provide emergency medical dispatching for the Borough for a period of three (3) years at the rate of \$5,400.00 for the first contract year for up to six hundred (600) calls and \$9.50 for each call over six hundred (600); \$5,508.00 for the second contract year for up to six hundred (600) calls and \$9.50 for each call over six hundred (600) calls; and \$5,618.00 for the third contract year for up to six hundred (600) calls and \$9.50 for each call over six hundred (600) calls; and

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

WHEREAS, Monmouth Ocean Hospital Services Corp., must submit to the Borough Purchasing Officer the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, Monmouth Ocean Hospital Services Corp. must complete and submit a Business Entity Disclosure Certification which certifies that Monmouth Ocean Hospital Services Corp. has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit Monmouth Ocean Hospital Services Corp. from making any reportable contributions through the term of the contract; and

WHEREAS, the contract is expressly contingent upon adequate funding in the 2014, 2015, and 2016 municipal budgets in the amounts specified above for each contract year respectively 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, as follows:

1. Ten days after receipt of the Business Entity Disclosure Certification and other required documents from Monmouth Ocean Hospital Services Corp., the Mayor and Borough Clerk are hereby authorized to execute, on

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behalf of the Borough, a professional service contract with Monmouth Ocean Hospital Services Corp. to provide emergency medical dispatching for the Borough for a period of three (3) years at the rate of \$5,400.00 for the first contract year for up to six hundred (600) calls and \$9.50 for each call over six hundred (600); \$5,508.00 for the second contract year for up to six hundred (600) calls and \$9.50 for each call over six hundred (600) calls; and \$5,618.00 for the third contract year for up to six hundred (600) calls and \$9.50 for each call over six hundred (600) calls, in a form acceptable to the Borough attorney.

2. When received, the Business Disclosure Entity Certification, Political Contribution Disclosure Form and the Determination of Value shall be placed on file with this resolution.

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

R 295-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY ST. VINCENT MARTYR CHURCH

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:

ST. VINCENT MARTYR CHURCH
I.D. No. 274-1-812
R.A. No. 1296, 1297, 1298 (all on-premise)
November 8, 2013

R 296-2013 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON ATHLETIC FOUNDATION, INC.

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

MADISON ATHLETIC FOUNDATION, INC.
I.D. No. 274-5-39298
R.A. No. 1299 – Off Premise
May 3, 2014

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R 297-2013 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 238-2013, AWARDING CONTRACT TO EI ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR REPLACEMENT OF THE MADISON PUBLIC LIBRARY HVAC SYSTEM IN THE AMOUNT OF \$21,000.00, PLUS REIMBURSABLE EXPENSES

WHEREAS, the Borough Engineer and Library Director have previously recommended that the Borough obtain professional design services from EI Associates, to provide design services for improvements to the Madison Public Library HVAC system; and

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

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

WHEREAS, the Borough Engineer has recommended that the Borough Council award the Contract to EI Associates, in a base amount not to exceed \$21,000.00, plus reimbursable expenses; and

WHEREAS, EI Associates, has submitted to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter is being awarded without competitive bidding; and

WHEREAS, EI Associates, has completed and submitted a Business Entity Disclosure Certification which certified that EI Associates, has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit EI Associates, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$21,000.00, plus reimbursable expenses, for this purpose in Ordinance 6-2013.

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 prior Resolution 238-2013, is hereby amended to provide that the vendor is entitled to reimbursable expenses in addition to the base contract amount of \$21, 000.00 pursuant to their proposal.

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R 298-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MADISON RECREATION COMPLEX DEDICATION SITE AND IMPROVEMENTS

WHEREAS, the Madison Recreation Advisory Committee has requested approval to construct a memorial bronze plaque at the Madison Recreation Complex, recognizing the veterans of the Borough of Madison; and

WHEREAS, the Borough Attorney has opined that N.J.S.A. 40:67-17 provides that “the governing body may construct and maintain upon the public streets and places thereof, statues, monuments, tablets, fountains and memorials, commemorative of any person or public event; accept and maintain any statue, monument, tablet, fountain or memorial presented to the municipality, and contribute money toward the construction or maintenance thereof”; and

WHEREAS, the Borough Council wishes to authorize the installation of a memorial bronze plaque to recognize the veterans of the Borough of Madison; and

WHEREAS, the Chief Financial Officer has advised the Council that resources are available for landscaping, electrical service for lighting and perpetual care of the memorial plaque site, in the Open Space Trust Fund.

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 construction of a memorial bronze plaque dedicated to the veterans of the Borough of Madison and a contribution of landscaping, electrical services for lighting and perpetual care are hereby authorized. The location of the memorial to be coordinated with the Borough Engineer.

R 299-2013 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE ESTABLISHMENT OF A TRUST FUND ACCOUNT FOR COMMUNITY GARDEN FUNDS

BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that an account be established with the Investors Bank entitled “Borough of Madison, Community Garden Trust Fund” for the custody of fees and disbursement of expenses for the Madison Community Gardens. Funds shall be disbursed from this account by checks signed by:

- (a) The Treasurer or Assistant Treasurer, and
- (b) The Borough Clerk or Deputy Clerk, and
- (c) The Mayor or Acting Mayor

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R 300-2013 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 291-2012, PREVIOUSLY AUTHORIZING CANCELLATION OF OLD FEDERAL AND STATE GRANT RESERVE BALANCES, TO RETURN FUNDS TO THE ALCOHOL AND EDUCATIONAL REHABILITATION FUND REMOVED IN ERROR

WHEREAS, Resolution 291-2012 canceled all federal and state grant reserve balances, with these funds being transferred to the Miscellaneous Revenue Account; and

WHEREAS, the Chief Financial Officer and the Joint Municipal Court Administrator have recommended that the Borough amend Resolution 291-2012 to restore funds to the Alcohol and Educational Rehabilitation Fund to be use for the litigation of DWI cases only; and

WHEREAS, the Chief Financial Officer has attested that funds are available in the amount of \$5,675.76, which funds were collected from DWI court fines.

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. Resolution 291-2012 is amended to restore the Alcohol and Educational Rehabilitation Fund in the amount of \$5,675.76.
2. That such funds are to remain in the Alcohol and Education Rehabilitation Fund for the purpose of covering the cost of litigation and enforcement of DWI cases only.

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 | \$25,420.90 |
| Health & Public Assistance | 3,106.81 |
| Public Works & Engineering | 90,308.91 |
| Community Affairs | 21,206.48 |
| Finance & Borough Clerk | 476,206.37 |
| Utilities | <u>1,197,193.19</u> |
| Total | <u>\$1,813,442.66</u> |

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

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

Nays: None

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NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk