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

November 24, 2008 - 7 p.m.

Call to Order

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 24th day of November 2008. Mayor Holden called the meeting to order at 7 p.m. in Room #320 of Bayley-Ellard High School, 205 Madison Avenue, 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 4, 2008. Copy of change in location of this meeting was provided in the same manner, all on October 16, 2008. Notice of this meeting was made available to members of the general public."

Roll Call

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

Mayor Mary-Anna Holden

Council Members:

Astri J. Baillie
Carmela Vitale

John M. Elias

Robert H. Conley

Jeannie Tsukamoto

Vincent A. Esposito

Also Present:

Raymond M. Codey, Borough Administrator

Marilyn Schaefer, Borough Clerk

Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

Three Contract Matters and two Litigation Matters were added to the Executive Agenda. There was no objection to adding R 311-2008 awarding Electric Department materials to the Consent Agenda.

Reading of Closed Session Resolution

Mr. Conley moved:

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

EXECUTIVE SESSION MINUTES (2)

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

October 27, 2008 Executive Session Minutes

November 10, 2008 Executive Session Minutes

CONTRACT MATTERS (5)

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

WEBSITE UPDATE

AGREEMENT FOR MOBILE DATA TERMINAL SYSTEM

ELECTRIC MATERIALS BID

COAH

53 ACRES

PERSONNEL MATTERS (3)

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

APPOINT TWO PROBATIONARY POLICE OFFICERS

APPOINTMENT OF DEPUTY ZONING OFFICER

LITIGATION MATTERS (2)

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

COUGAR FIELD

FIRE & POLICE BUILDING

Seconded: Mrs. Vitale

Vote: Approved by unanimous voice vote

Reconvene in Council Chamber

Mayor Holden reconvened the Regular Meeting at 8 p.m. in Meeting Room #320 of Bayley-Ellard High School with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the Executive Minutes of October 27, 2008. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Ms. Baillie moved approval of the Executive Minutes of November 10, 2008. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Ms. Baillie moved approval of the Regular Minutes of October 27, 2008. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Ms. Baillie moved approval of the Regular Minutes of November 10, 2008, with the following amendments:

Page 5 under Communications and Petitions:

Pat Rowe, Pine Avenue, reported a lack of adequate curbing on ~~her~~ **his** street and that the road is pulling apart at the center line.

Page 3, 4th line of Finance & Borough Clerk Committee Reports will be corrected to read:

.....Ms. Baillie congratulated **Dr. Esposito** and Bob Conley on their reelection to the Council.....

There was no further discussion. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

GREETINGS TO PUBLIC

Mayor Holden made the following comments:

Scheduled for tomorrow is a recount of the vote in the matter of the election of November 4, 2008, for the position of Council Member for a three-year term.

The Mayor spoke of the pin residents may see around Madison - "If You Love Madison, Shop Madison" - encouraging shopping here in the Borough; Dr. Esposito will be speaking about this later. Mayor Holden also commented on the various activities in Madison set for the Friday after Thanksgiving; one of the floats in the Christmas Parade set for Friday, November 28, is a huge float carrying a large screen television, which will show highlights of the 1976 Bicentennial Parade that have been digitized.

Mayor Holden commented on a letter from Margaret Nordstrom, Freeholder Director, regarding the additional grant funds of \$1.3 million awarded to the Borough for the Madison Recreation Center. The Borough has finally received funds from the State of New Jersey for the Luke Miller property and the Livesey property, a Planning Incentive Grant totaling \$600,000; Mayor Holden thanked Chief Financial Officer Robert Kalafut and Administrator Raymond Codey for putting the pressure on for the release of these funds to the Borough. Also for fiscal year 2009, thanks to the efforts of Borough Engineer Robert Vogel, the Borough has received a Municipal Aid Grant from the New Jersey Department of Transportation for the Woodland Road reconstruction project in the amount of \$200,000. Mayor Holden advised that the Mayor and Council have been invited to the Reorganization Meeting of the Morris County Board of Chosen Freeholders to take place at 6 p.m. on Monday, January 5, 2009, in the Freeholders' Public Meeting Room, 5th Floor of the Administration and Records Building.

REPORTS OF COMMITTEES

Finance and Borough Clerk

Ms. Baillie, Chair of the Committee, made the following comments:

Ms. Baillie reported that the Borough has been awarded \$1.3 million toward the purchase of the 53 acres as a grant from the Morris County Freeholders; to date, the Borough has received \$7.3 million from the County; the Borough will pay for the balance purchase price from the Open Space tax which was established in 2004; there are also funds set aside for a turf field; the Borough will need help from residents and the Board of Education to make our dreams a reality for the site. Speaking of the League Convention, Ms. Baillie was happy to report how well and fiscally sound Madison is; the Borough is further along than most towns in meeting affordable housing needs.

Public Safety

Mrs. Vitale, Chair of the Committee, no report.

Public Works and Engineering

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

The Department of Public Works (DPW) continues with leaf pickup; Mr. Elias asked for the public's patience as the DPW goes through this process; the challenge is to do more with less; toward that end, the Borough has tried to get the leaves cleaned up without significant overtime; therefore it is taking longer. Madison residents with proof of residency may pick up bags and dispose of leaves by leaving them at the curb in bags or cans, or bringing the bags to the DPW.

Utilities

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

Mr. Conley spoke about an old film of the Bicentennial Parade where you may see a 20-year-old Bob Conley! As to the Electric Utility, the update on underground service is not quite ready, and it is too late to get the ordinance in place this year; an ordinance will be introduced early in 2009. As to traffic calming, the Police Department is working with the Speed Stalker; in going forward, the Stalker will be put out on a road where it will record average speed and number of cars traveling the road. Mr. Conley thanked Director of Technology Jim Sanderson and Sgt. John Keymer for figuring out how to retrieve the Stalker information.

Health & Public Assistance

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

From the Health Department, Madison residents are urged to get a flu shot; residents may contact the Health Department if interested. Mrs. Tsukamoto attended the League Convention in Atlantic City; one of the sessions

dealt with success stories on how promoting arts and culture can increase visitors and, ultimately, property values; the Madison Arts and Cultural Alliance (MACA) was a featured example; many municipalities are experiencing overall financial hardships; the Borough is facing difficult times ahead, must cut spending and will ask tough questions and find creative ways to reduce costs, share services with other municipalities and the Board of Education, and do what is necessary to cut costs. Lastly, Mrs. Tsukamoto encouraged everyone to remember the less fortunate this holiday season and asked everyone to consider making a donation to a local charity. Mrs. Tsukamoto wished everyone a very Happy Thanksgiving.

Community Affairs

Dr. Esposito, Chair of the Committee, made the following comments:

The November Merchant of the Month, co-sponsored by the Downtown Development Commission (DDC) and the Chamber, is Wild Things, which is a gift shop located at the corner of Central and Cook Avenues. Dr. Esposito encouraged residents to visit this shop and others during this holiday season, and during the entire year as well. Residents will soon see posters, signs and buttons reminding people to shop locally - "If You Love Madison, Shop Madison". Dr. Esposito reminded residents about the annual Christmas Parade this Friday, November 28th, at 5:30 p.m.; there will be special events throughout the parade; the DDC will also have a float this year; in addition, this year will see the revival of the Christmas Walk from 2 p.m. to 8 p.m. where merchants will be offering holiday snacks and specials; the third annual Arts Festival will take place at various venues around town. The Chamber is sponsoring a Holiday Downtown Shopping Program from December 10th to the 13th; there are additional parking areas including the lot behind Provident Bank, the Central Avenue School lot and the lot behind Valley National Bank; also, tentative arrangements have been made to park on the lot of the old Health Center.

Special Joint Meeting

Mayor Holden took this opportunity to announce the Special Joint Meeting of the Madison Planning Board and the Mayor and Council on December 18, 2008, at 6 p.m. here in this meeting room; there will be a hearing on an ordinance for Madison's Affordable Housing and Fair Share Plan among the agenda items.

COMMUNICATIONS AND PETITIONS - None

INVITATION FOR DISCUSSION (1 of 2)

Mayor Holden opened the meeting to the public for their opportunity to ask questions and make comments. The 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.**

Nora Stewart, Delbarton Drive, Chair of the Friends of the Madison Senior Center, an active member of the seniors for more than 30 years, spoke to budget priorities and asked for approval of an appropriation of \$285,000 in 2008 for construction of an elevator at the Madison Civic Center; their concern is that the request will be lost in a sea of requests in 2009; the Madison Senior Center second floor is inaccessible and is not ADA compliant; since 2001, programs have increased from 12 to 20 plus per week with seniors participating; use of the second floor allows simultaneous programming; the second floor use poses a safety risk for those with balance and mobility problems; walkers and wheelchairs are excluded from the second floor; the seniors had 80 at their opening barbecue this year, and they were fortunate it could be held outside; Ms. Stewart thanked the Mayor and Council for help in previous years; if the Mayor and Council could make this request come true for the seniors it would be a tremendous gift.

Sandra Fielo, Cross Street, Chair of the Senior Citizens Advisory Committee, agreed with everything Nora Stewart said; Ms. Fielo stressed the need for the appropriation of \$285,000 for construction of an elevator, or it will be lost in a sea of requests if delayed until 2009; Ms. Fielo spoke about who the seniors are and why they need the elevator; the Senior Center is a home away from home and supplies social stimulation, allows for holiday celebrations and more; Ms. Fielo requested approval of an appropriation of \$285,000 in 2008 for

construction of an elevator; she thanked the Mayor and Council for what has been done for the seniors in the past and asked to please help them make the Senior Center accessible.

Sam Cerciello, Park Avenue, asked about R 305-2008 awarding a bid for leaf removal for 2008 to Grinnell of Sparta in the amount of \$98,000, which is listed on the Consent Agenda, and was advised that leaves have to be removed from the Borough garage.

Mr. Cerciello spoke about Agenda Discussions #5 and #6 regarding the design proposal for Lincoln Place, said it should be simplified, and advocated installing pavers and street lamps. Mayor Holden commented on Project for Public Spaces and the prospect for grant funds, and that it is important to have something in place so when an opportunity comes for funding, plans may be put in place quickly. In addition, Mr. Cerciello asked to be involved in raising funds for the development of the 53 acres.

Since no other member of the public wished to be heard, the invitation for discussion was closed.

Agenda Discussions

11/24/2008-1 HDM UPDATE

Mr. Codey commented on work being accomplished at the Hartley Dodge Memorial (HDM) building; the Department of Public Works is continuing to move things out of the building; there is negotiation on getting the tower removed from the rear of the HDM; the parking lot used for the HDM has now been turned over to commuters adding 45 spaces for our residents; selective demolition is in progress; there have been no major surprises; the floor structure under the apparatus bay may already be properly reinforced and may reduce construction costs; the Architect is still on schedule and will be back with a final design package by December 15th.

The selective demolition work is being done with a grant from the Trustees.

11/24/2008-2 2009 CAPITAL BUDGET PRIORITIES

Mayor Holden promoted a discussion of capital budget priorities, as some projects must go forward and others must wait. There was a long discussion of projects and many comments from the Governing Body, Mayor, Borough Engineer and Administrator. Mr. Vogel discussed Lincoln Place and felt it may be accomplished in the coming year; Mr. Vogel commented that it is time for Lincoln Place to happen and is a high priority; there was agreement that the Project for Public Spaces award is timely, but the Pennoni contract is too early. Mr. Vogel asked that the Pennoni contract request for design of Lincoln Place be moved into the 2009 budget. Mr. Codey commented that \$200,000 was dedicated for design services in the 2008 Capital budget allowing Mr. Vogel to get two years done in one year; there is a balance of approximately \$74,000; the North Street sewer project is also a priority. Mr. Vogel was asked to return to the Council with the top priority for 2008 within the available budget.

11/24/2008-3 END OF THE YEAR RESOLUTIONS LISTED ON THE CONSENT AGENDA

R 300-2008 Cancellation of Completed Capital Improvement Ordinances

Mrs. Vitale moved approval of listing the above resolution, as recommended by Chief Financial Officer Robert Kalafut. Mr. Conley seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

R 301-2008 Cancellation of old Outstanding Checks, Bank Errors and Returned Items

Ms. Baillie moved approval of the above resolution, as recommended by Chief Financial Officer Robert Kalafut. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

R 302-2008 2008 Budget Transfers

Ms. Baillie moved approval of the above resolution, as recommended by Chief Financial Officer Robert Kalafut. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

R 303-2008 Corrective Action Plan

Ms. Baillie moved approval of the above resolution, as recommended by Chief Financial Officer Robert Kalafut. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

R 304-2008 Cancellation of Grants Receivable and Appropriated Grant Reserves

Ms. Baillie moved approval of the above resolution, as recommended by Chief Financial Officer Robert Kalafut. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

11/24/2008-4 BID AWARD FOR LEAF REMOVAL FOR 2008

\$98,000 TO GRINNELL OF SPARTA

Mr. Elias moved approval of Superintendent of Public Works David Maines' above recommendation. Mr. Conley seconded the motion, which passed by acclamation.

Resolution R 305-2008 is listed on the Consent Agenda.

11/24/2008-6 AWARD TO PROJECT FOR PUBLIC SPACES FOR PROFESSIONAL SERVICES ON THE LINCOLN PLACE PLACEMAKING WORKSHOP AND DESIGN IN THE AMOUNT OF \$25,000.00

Mr. Conley moved approval of Borough Engineer Robert Vogel's above recommendation. Dr. Esposito seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: Ms. Baillie, Mr. Elias

Resolution R 309-2008 is listed on the Consent Agenda.

11/24/2008-5 AWARD TO PENNONI ASSOCIATES FOR FINAL DESIGN OF LINCOLN PLACE IN THE AMOUNT OF \$39,950.00

This request will be brought back in 2009; Resolution R 308-2008 will be removed from the Consent Agenda.

11/24/2008-7 RESOLUTION AMENDING R 209-2006 AWARDED CONTRACT TO U.S. LABORATORIES, INC. FOR MATERIALS TESTING AND REPORTS PROVIDED AT THE FIRE & POLICE BUILDING FROM \$28,000.00 TO \$35,102.00

Mrs. Vitale moved approval of Borough Engineer Robert Vogel's above recommendation. Mr. Conley seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Resolution R 310-2008 is listed on the Consent Agenda.

Advertised Hearings

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on November 10, 2008, 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 Holden called up Ordinances for second reading and asked the Clerk to read said ordinances by title:

ORDINANCE 70-2008

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$98,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR SWALE CONSTRUCTION, PURCHASE OF COMPUTER EQUIPMENT, SIDEWALK PAVING AND EXTERIOR RAMP CONSTRUCTION FOR THE MADISON PUBLIC LIBRARY

WHEREAS, the Library Director has recommended that the Borough appropriate \$98,000.00 from the General Capital Improvement Fund for swale construction (\$75,000.00), purchase of computer equipment (\$8,000.00) and

sidewalk paving and exterior ramp construction (\$15,000.00); and

WHEREAS, the Director of Finance has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$98,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$98,000.00 from the General Capital Improvement Fund for swale construction (\$75,000.00), purchase of computer equipment (\$8,000.00) and sidewalk paving and exterior ramp construction (\$15,000.00).

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 \$98,000.00 is hereby appropriated from the General Capital Improvement Fund for swale construction (\$75,000.00), purchase of computer equipment (\$8,000.00) and sidewalk paving and exterior ramp construction (\$15,000.00) at the Madison Public Library.

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 Holden opened up the public hearing on Ordinance 70-2008. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 70-2008, which the Borough Clerk read by title, be finally adopted. Mr. Elias seconded the motion. Comments included that the sidewalk paving and exterior ramp construction were not originally in the budget, but since the swale construction cost will be lower than anticipated, funds may be reallocated for the other items requested by the Library. There was no further discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

Note: WITHDRAWN: ~~ORDINANCE 71-2008~~

ORDINANCE 72-2008

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$12,500.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR PURCHASE AND INSTALLATION OF A NEW STEAM BOILER FOR THE WATER & LIGHT PLANT ON AN EMERGENCY BASIS

WHEREAS, the Superintendent of Public Works has advised the Council that the steam boiler in the Water & Light Plant required emergency replacement in order to protect the health and welfare of the public; and

WHEREAS, the Borough expended \$25,000.00 to replace the steam boiler on an emergency basis, pursuant to N.J.S.A 40A:11-6; and

WHEREAS, the Superintendent of Public Works has requested that the Borough appropriate \$12,500.00 from the Water Capital Improvement Fund to pay for these emergency services; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$12,500.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$12,500.00 from the Water Capital Improvement Fund for the emergency replacement of the steam boiler at the Water & Light Plant; and

WHEREAS, a companion Ordinance 74-2008 is also being introduced to authorize appropriation of \$12,500.00 from the Electric Capital Improvement Fund.

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

SECTION 1: The amount of \$12,500.00 is hereby appropriated from the Water Capital Improvement Fund for the emergency replacement of the steam boiler at the Water & Light Plant.

SECTION 2: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mayor Holden opened up the public hearing on Ordinance 72-2008. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Conley moved that Ordinance 72-2008, which the Borough Clerk read by title, be finally adopted. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

ORDINANCE 73-2008

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE PRESERVATION AND RECREATION PURPOSES BY AND FOR THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, NEW JERSEY, TO APPROPRIATE THE SUM OF \$12,800,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A COUNTY GRANT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 acquire approximately 53 acres of real property for open space preservation and recreation purposes by and for the Borough. Said improvement shall include real estate transaction expenses and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired is designated as a portion of Block 1401, Lot 5 on the Tax Assessment Map of the Borough of Florham Park. The Borough of Madison intends to annex said property after its acquisition.

Section 2. The sum of \$12,800,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized, the down payment appropriated and the \$6,000,000 grant from the Morris County Open Space Preservation Trust Fund (the "County Grant") appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) the making of such improvement is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended; the A Local Bond Law@), and (3) the estimated cost of said purpose is \$13,050,000 (consisting of the \$12,800,000 hereby appropriated and the \$250,000 previously appropriated from the Borough's Open Space and Recreation Trust Fund for the deposit for the real estate purchase pursuant to Ordinance No. 4-2008 adopted by the Borough Council of the Borough on January 28, 2008), and (4) \$6,000,000 of said sum is to be provided by the County Grant hereinafter appropriated to finance said purpose, and (5) \$800,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (6) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$6,000,000, and (7) the cost of such purpose hereby financed includes the aggregate amount of \$50,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the sum of \$6,000,000 received or to be received as the County Grant is hereby appropriated to the payment of the cost of such purpose.

Section 5. It is hereby determined and stated that the aggregate sum of \$800,000 (consisting of (A) \$50,000 in the Borough of Madison Open Space and Recreation Trust Fund and (B) \$750,000 in the General Capital Improvement Fund) is now available to serve as the down payment on said purpose. The sum of \$800,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 6. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$6,000,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 7. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$6,000,000 are hereby authorized to be

issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 8. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 9. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 10. 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 \$6,000,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (other than the County Grant hereinbefore appropriated which shall be applied to the cost of such purpose, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 12. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with

the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Holden opened up the public hearing on Ordinance 73-2008. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 73-2008, which the Borough Clerk read by title, be finally adopted. Mr. Elias seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

ORDINANCE 74-2008

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$12,500.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR PURCHASE AND INSTALLATION OF A NEW STEAM BOILER FOR THE WATER & LIGHT PLANT ON AN EMERGENCY BASIS

WHEREAS, the Electric Utility Superintendent has advised the Council that the steam boiler in the Water & Light Plant required emergency replacement in order to protect the health and welfare of the public; and

WHEREAS, the Borough expended \$25,000.00 to replace the steam boiler on an emergency basis, pursuant to N.J.S.A 40A:11-6; and

WHEREAS, the Electric Utility Superintendent has requested that the Borough appropriate \$12,500.00 from the Electric Capital Improvement Fund to pay for these emergency services; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$12,500.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$12,500.00 from the Electric Capital Improvement Fund for the emergency replacement of the steam boiler at the Water & Light Plant; and

WHEREAS, a companion Ordinance 75-2008 is also being introduced to authorize appropriation of \$12,500.00 from the Water Capital Improvement Fund.

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

SECTION 1: The amount of \$12,500.00 is hereby appropriated from the Electric Capital Improvement Fund for the emergency replacement of the steam boiler at the Water & Light Plant.

SECTION 2: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mayor Holden opened up the public hearing on Ordinance 74-2008. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Conley moved that Ordinance 74-2008, which the Borough Clerk read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Mayor Holden declared the aforementioned ordinance adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

Introduction of Ordinances

The ordinance scheduled for first reading will have a hearing date set for December 8, 2008, will be published in the Madison Eagle, posted on the Bulletin Board and made available to members of the public requesting copies.

Mayor Holden called up Ordinance 75-2008 for first reading and asked the Borough Clerk to read said ordinances by title:

ORDINANCE 75-2008

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 94 APPENDIX "A" SCHEDULE OF RATES FOR ELECTRIC UTILITY

WHEREAS, the Chief Financial Officer of the Borough of Madison has recommended that the electric utility rates be increased due to increased costs; and

WHEREAS, the Borough Chief Financial Officer has recommended that Appendix A to Chapter 94 of the Borough Code, entitled "Borough of Madison Schedule of Rates for Electric Utility December 1993" be amended to reflect the following new rates:

Type	Customer Charge	Demand Charge	Energy Charge
Residential Service			

	\$4.23		0 to 600 kWh \$0.1677 601 kWh or higher \$0.1773
General Service (non demand)	\$4.32		\$0.1818 per kWh
General Service (demand)	\$8.48	\$9.803 per kW	\$0.1269 per kWh
Mid Level General Service – Demand	\$25.40	\$11.577 per kW	\$0.1023 per kWh
Large General Service – Demand	\$25.40	\$11.099 per kW	\$0.0982 per kWh
Outdoor Area Light Service		\$10.07 per 3,650 lumen mercury vapor lamp \$15.34 per 7,000 lumen mercury vapor lamp \$0.739 for each span of wire \$3.328 for each transformer \$0.962 for each pole	
Off-Peak Water-Heating Service Rider	\$1.48		\$0.0967 per kWh
Standby Facilities Service Rider			\$1.111 per kWh

WHEREAS, the Borough Council, after due consideration has determined to proceed with said recommendation.

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: Appendix A to Chapter 94 of the Borough Code, entitled "Borough of Madison Schedule of Rates for Electric Utility December 1993" is hereby amended to revise the electric utility rates and classifications as set forth herein.

SECTION 3: All other rates and terms remain the same, except those changed herein.

SECTION 4: This Ordinance shall take effect on January 1, 2009.

Mr. Conley moved that Ordinance 75-2008, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion and the motion passed with the following roll call vote

recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Consent Agenda Resolutions

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes. The Borough Clerk commented that R 308-2008 has been removed from the Agenda and the # retired.

Mr. Conley moved adoption of the Resolutions listed on the Consent Agenda. Mrs. Vitale seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, as to R 300-2008 through R 307-2008; R 310-2008; R 311-2008

Mrs. Vitale

Mr. Elias, as to R 300-2008 through R 307-2008; R 310-2008; R 311-2008

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: Ms. Baillie, as to R 309-2008

Mr. Elias, as to R 309-2008

R 300-2008

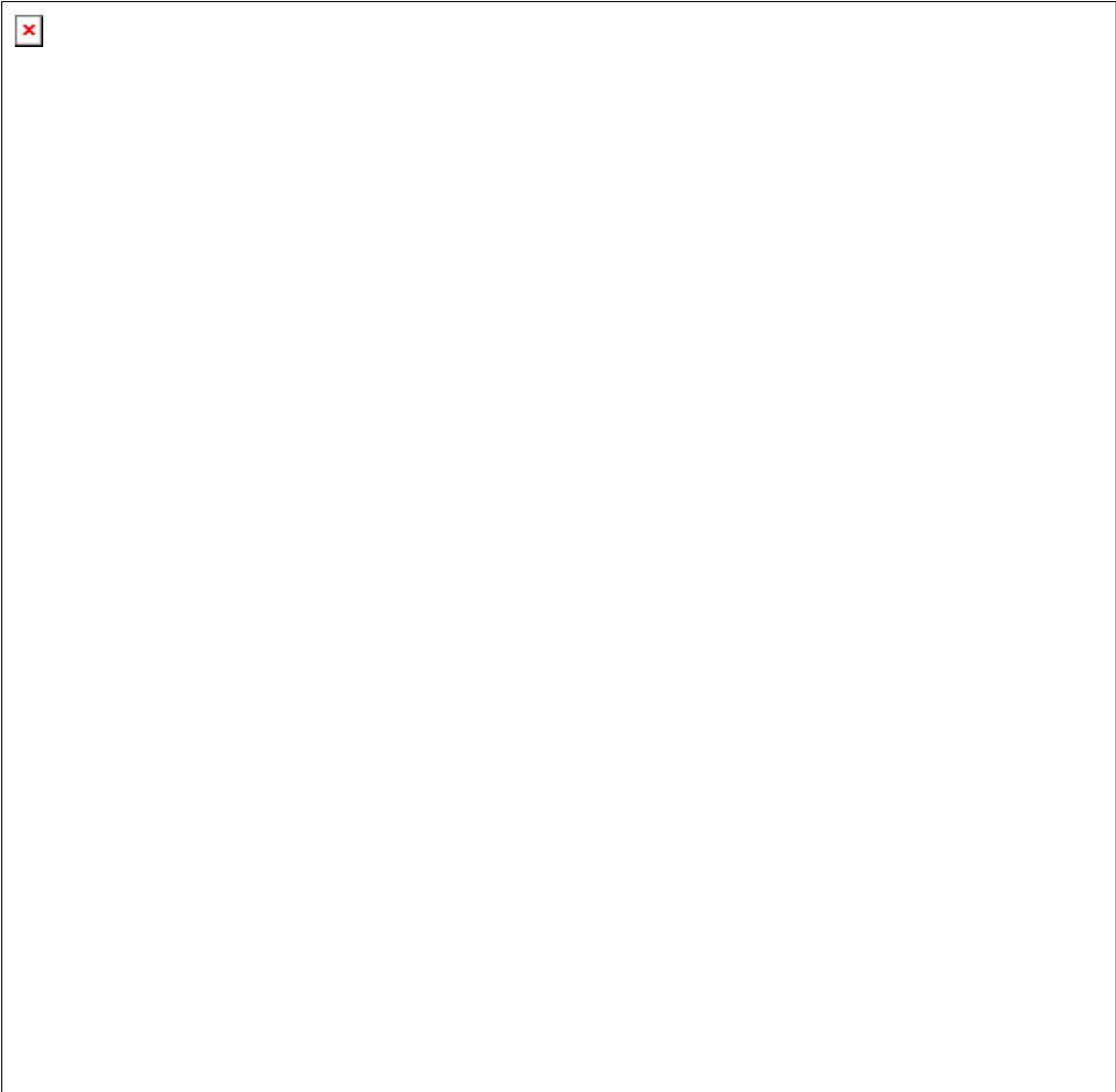
RESOLUTION OF THE BOROUGH OF MADISON CANCELLING COMPLETED CAPITAL IMPROVEMENT ORDINANCES

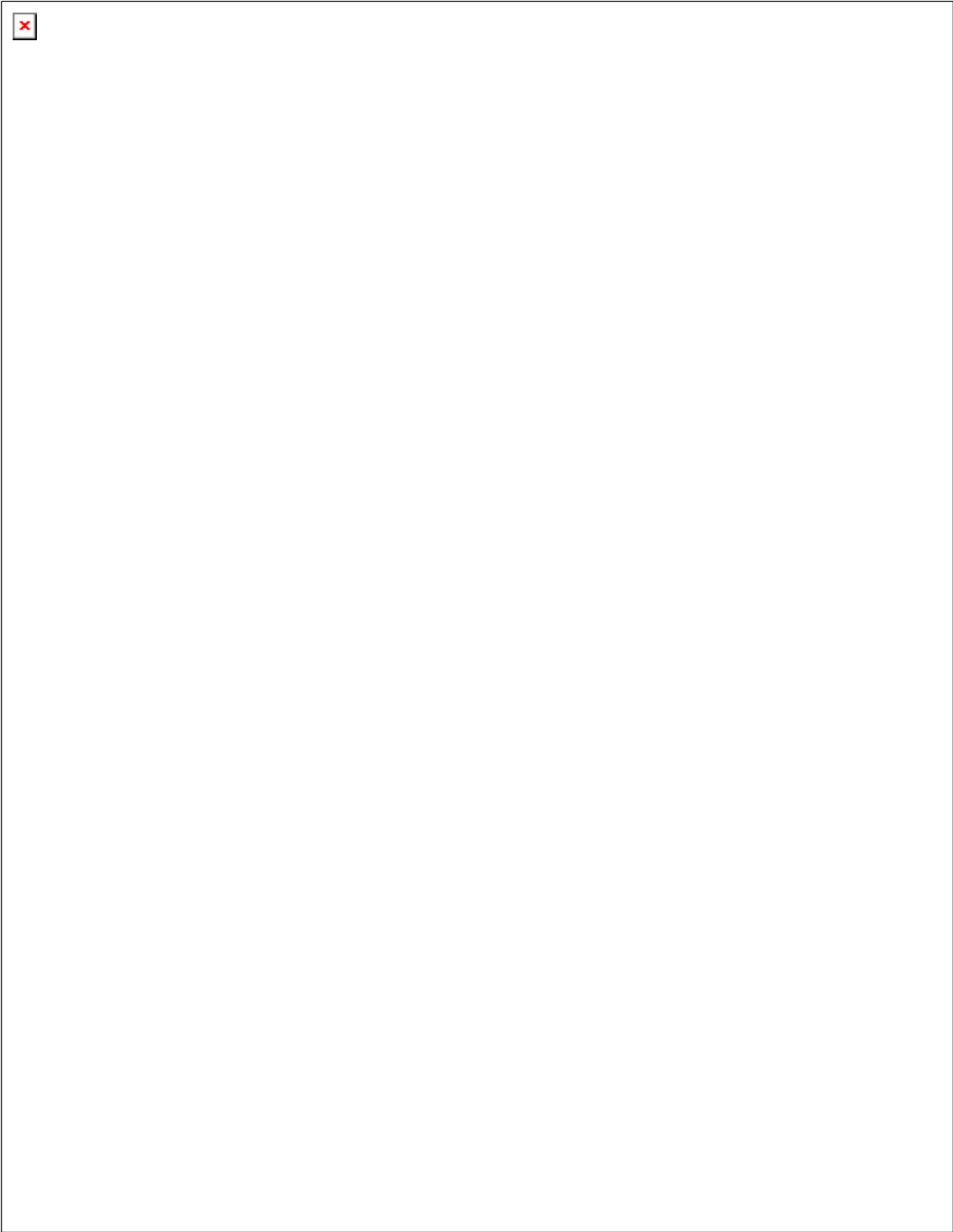
WHEREAS, the Chief Financial Officer has reviewed a list of open capital projects and has determined that several capital projects have been completed and the improvement authorization accounts should be closed; and

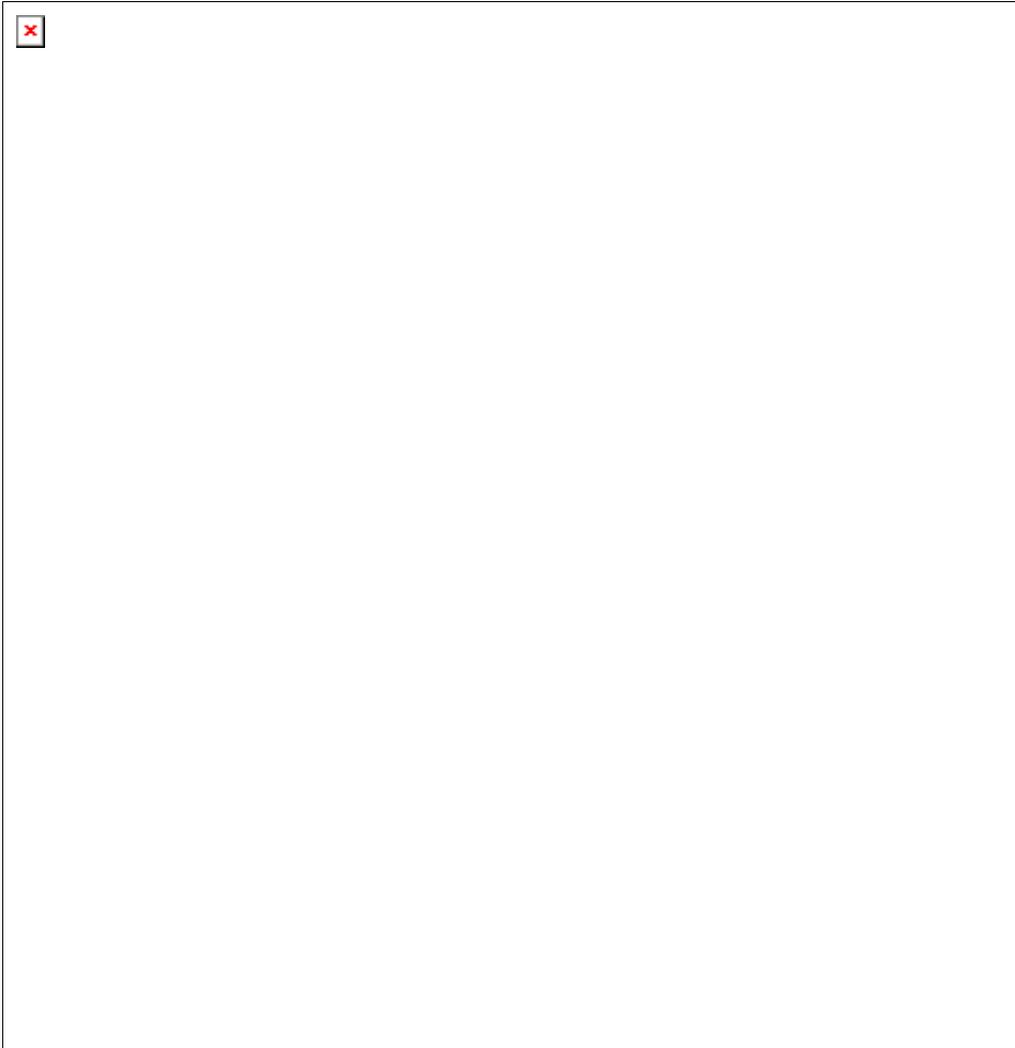
WHEREAS, the Chief Financial Officer has recommended that the Council adopt a Resolution canceling the open dollar balances in such completed projects; and

WHEREAS, the Borough Council has determined to make such cancellation.

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 list of open capital projects annexed hereto are hereby cancelled.





**R 301-2008****RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CANCELLATION
OF OLD OUTSTANDING CHECKS, BANK ERRORS AND RETURNED CHECKS**

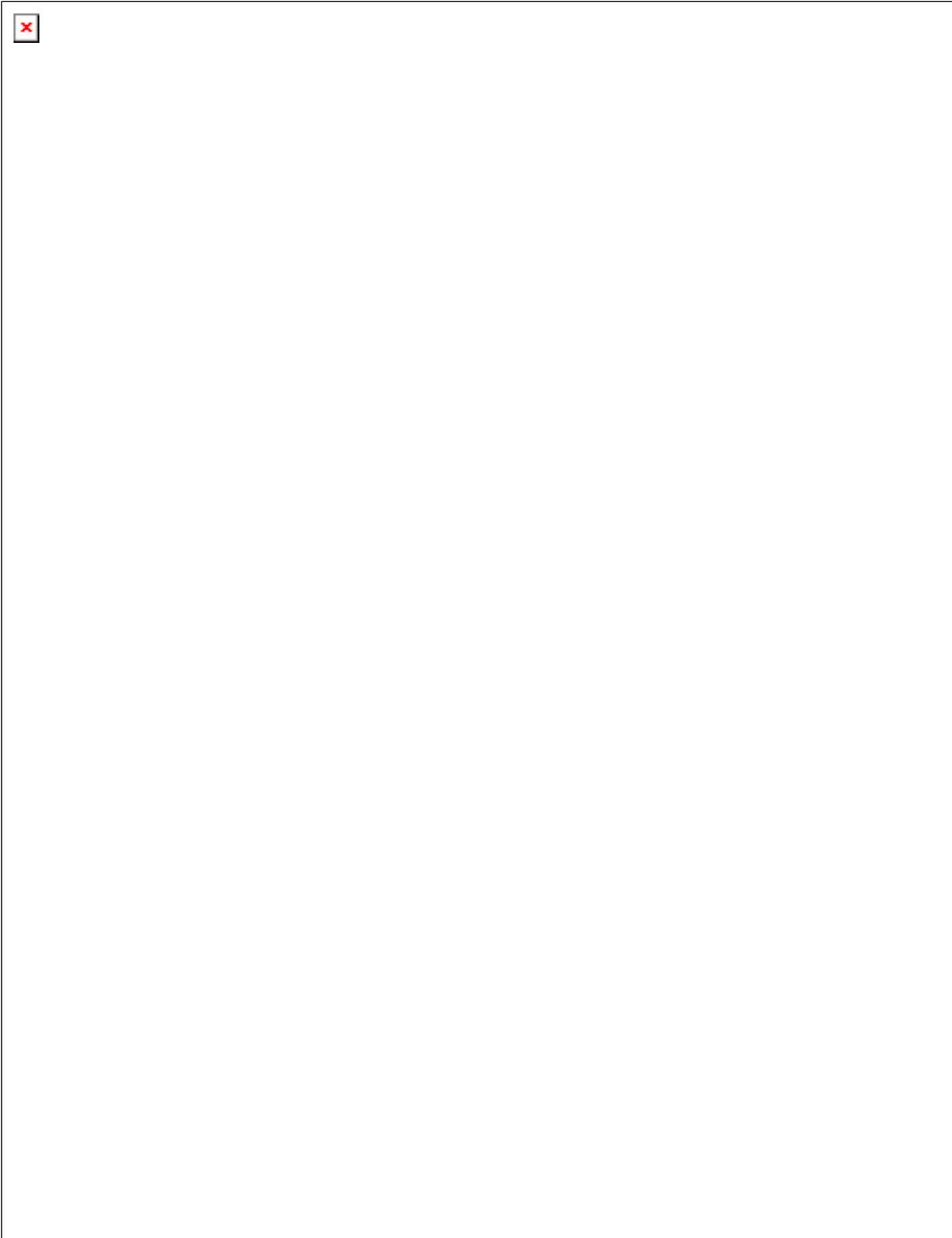
WHEREAS, the Madison Borough Chief Financial Officer has recommended that old outstanding checks, bank errors and returned checks be cancelled as being out of date; and

WHEREAS, the Chief Financial Officer has indicated that the Chief Accountant has recommended these items should be cancelled.

NOW, THEREFORE, BE IT RESOLVED¹ by the Council of the Borough of Madison, in the County of Morris and State of New Jersey as follows:

All outstanding checks and charges listed on the attached Memorandum dated October 29, 2008 from Francine DeAngelis, Chief Accountant, to Robert Kalafut, Chief Financial Officer, be cancelled.

The Chief Financial Officer is authorized to take whatever action is necessary to effectuate this Resolution.



R 302-2008

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING 2008 BUDGET TRANSFERS

WHEREAS, there appears to be insufficient funds in the following accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demands for the balance of the Current Year in Gasoline – Other Expenses, Planning Board – Other Expenses, Telephone – Other Expenses, and;

WHEREAS, there appears to be surplus in the following accounts (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding Year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund, or Interest and Debt Redemption Charges), over and above the demand deemed to be necessary for the balance of the Current Year, in Public Works – Snow Removal Overtime, Public Works – Other Expenses.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provision of R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be and the same are hereby transferred to the account (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands, and;

BE IT FURTHER RESOLVED that the Chief Financial Officer be and is hereby authorized and directed to make the following transfers:

R 303- 2008

**RESOLUTION OF THE BOROUGH OF MADISON COUNCIL APPROVING
CORRECTIVE ACTION PLAN REPORT**

WHEREAS, the 2007 Audit Report prepared by the Municipal Auditor contained three (3) recommendations to be remedied, and;

WHEREAS, the Chief Financial Officer has prepared a Corrective Action Plan which the Borough Council has reviewed and approved.

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 Corrective Action Plan attached hereto is hereby approved.

R 304-2008

**RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CANCELLATION
OF GRANTS RECEIVABLE AND APPROPRIATED GRANT RESERVES**

WHEREAS, the Madison Borough Chief Financial Officer has recommended that certain Grant Receivables and Appropriated Grant Reserves be cancelled; and

WHEREAS, the 2007 Municipal Audit has recommended that these accounts be investigated and proper disposition be made.

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 Schedule of Grants Receivable and Appropriated Grants to be cancelled as recommended by the Chief Financial Officer is approved and the Chief Financial Officer is authorized to take whatever action is necessary to effectuate this Resolution.

R 305-2008

RESOLUTION OF THE BOROUGH OF MADISON AWARDING BID FOR LEAF REMOVAL FOR 2008 TO GRINNELL OF SPARTA IN THE AMOUNT OF \$98,000.00

WHEREAS, the Borough of Madison publicly advertised for bids for leaf removal (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 Grinnell of Sparta, NJ in the amount of \$98,000.00; and

WHEREAS, the Superintendent of Public Works has recommended that the Borough Council award the contract to Grinnell of Sparta, NJ in the amount of \$98,000.00; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$98,000.00 for this purpose in the Public Works 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 contract for leaf removal is hereby awarded to Grinnell of Sparta, NJ based upon its bid in the amount of \$98,000.00.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Grinnell of Sparta, NJ in a form acceptable to the Borough Attorney.

R 306-2008

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MAYOR'S SIGNATURE ON SERVICES AGREEMENT FOR UTILIZATION OF THE COUNTY'S MOBILE DATA TERMINAL SYSTEM

WHEREAS, the Borough Chief of Police has recommended that the Borough Council approve execution of the 2009 Morris County Integrated Justice Information System Interlocal Services Agreement regarding the use of the Morris County Integrated Justice Information System (MCIJIS) for a fee of one dollar (\$1.00); and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A, et seq., authorizes such agreement for the provision of

governmental service; and

WHEREAS, the Borough Council has determined to approve the 2009 Morris County Integrated Justice Information System Interlocal Services Agreement which is attached hereto.

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 Chief of Police are hereby authorized to execute on behalf of the Borough of Madison the 2009 Morris County Integrated Justice Information System Interlocal Services Agreement for a fee of one dollar (\$1.00), which is attached hereto in a form approved by the Borough Attorney.

R 307-2008

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SIGNATURE ON GRANT AGREEMENT FOR 2008 MORRIS COUNTY OPEN SPACE TRUST FUND GRANT "MADISON RECREATION CENTER"

WHEREAS, the Borough of Madison has been awarded a 2008 Morris County Open Space Trust Fund Grant entitled "Madison Recreation Center" from the County of Morris in the amount of \$1,300,000.00; and

WHEREAS, the Borough Administrator has recommended that said grant be accepted and the grant agreement be executed.

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 execute a grant agreement between the Borough of Madison and the County of Morris for a 2008 Morris County Open Space Trust Fund Grant entitled "Madison Recreation Center" in the amount of \$1,300,000.00, in a form approved by the Borough Attorney.

R 308-2008 was removed from the agenda and the # retired:

R 309-2008

RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO PROJECT FOR PUBLIC SPACES FOR PROFESSIONAL SERVICES ON THE LINCOLN PLACE PLACEMAKING WORKSHOP AND DESIGN IN THE AMOUNT OF \$25,000.00

WHEREAS, the Borough Engineer has recommended that the Borough obtain professional design services from Project for Public Spaces, Inc., for Lincoln Place Placemaking Workshop and Concept Design; 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 acquisition will exceed \$17,500.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the Contract to Project for Public Spaces, Inc., in an amount not to exceed \$25,000.00; and

WHEREAS, Project for Public Spaces, Inc., must submit to the Borough Purchasing Agent 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, Project for Public Spaces, Inc., must complete and submit a Business Entity Disclosure Certification which certifies that Project for Public Spaces, Inc., 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 Project for Public Spaces, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$25,000.00 for this purpose from the Water Field – Professional Services Account #8-0555-501-215.

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:

Ten days after receipt of the Business Entity Disclosure Certification and other required documents from Project for Public Spaces, Inc., the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with Project for Public Spaces, Inc., for professional design services for Lincoln Place Placemaking Workshop and Concept Design in an amount not to exceed \$25,000.00, such contract to be in a form approved by the Borough Attorney.

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

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 310-2008

RESOLUTION OF THE BOROUGH OF MADISON AMENDING R 209-2006 AWARDING PROFESSIONAL SERVICES CONTRACT FOR FIELD TESTING FOR FIRE & POLICE BUILDING TO U.S. LABORATORIES, INC. TO INCREASE THE AWARD FROM \$28,000.00 TO \$35,102.00

WHEREAS, the Borough Engineer has recommended that the Borough amend Resolution 209-2006 to increase the award amount by \$7,102.00 to \$35,102.00 field testing related to steel, concrete, roofing, strength, moisture and other in-place materials tests and certifications on the Fire & Police Building; and

WHEREAS, the Director of Finance has attested that funds will be available in a total amount not to exceed \$35,102.00 for this purpose, which funds were appropriated by Ordinance 42-2005.

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 209-2006 is amended to increase the award amount by \$7,102.00 to \$35,102.00 for field testing related to steel, concrete, roofing, strength, moisture and other in-place materials tests and certifications on the Fire & Police Building.

2. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract for professional services with U.S. Laboratories, Inc., of Rahway, New Jersey for field testing related to steel, concrete, roofing, strength, moisture and other in-place materials tests and certifications on the Fire & Police Building in an amount not to exceed \$35,102.00, such contract to be in a form approved by the Borough Attorney.

R 311-2008

RESOLUTION OF THE MADISON BOROUGH COUNCIL AWARDING ELECTRIC MATERIALS BID TO TURTLE & HUGHES IN THE AMOUNT OF \$37,270.65 AND SUMMIT ELECTRIC SUPPLY IN THE AMOUNT OF \$12,963.15

WHEREAS, the Borough of Madison publicly advertised for bids for the purchase of Electric Department materials in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, three bids were received for various electric materials for the Electric Department; and

WHEREAS, one of the bids received was missing mandatory documentation and the bid must be rejected pursuant to N.J.S.A. 40A:11-23.2; and

WHEREAS, two qualified bids were received from Turtle & Hughes, Inc., of Bridgewater, New Jersey, and Summit Electric Supply Co. of Summit, New Jersey; and

WHEREAS, the Electric Utility Supervisor has recommended that the Borough Council award a contract for certain electric materials to Turtle & Hughes, Inc., for the Electric Department in an amount not to exceed \$37,270.65 and a contract for certain electric materials to Summit Electric Supply Co. in an amount not to exceed \$12,963.15; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$50,233.80 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. The contract for the purchase of certain electric materials for the Electric Department is hereby awarded to each of the following: Turtle & Hughes, Inc. in an amount not to exceed \$37,270.65; and Summit Electric Supply Co. in an amount not to exceed \$12,963.15.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into contracts with Turtle & Hughes, Inc., and Summit Electric Supply Co., in a form acceptable to the Borough Attorney.

INVITATION FOR DISCUSSION (2 of 2)

Mayor Holden opened the meeting to the public for their opportunity to ask questions and make comments. The 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.***

Eugene Zipper, Greenwood Avenue, commended Council on the work they have done in obtaining the 53 acres; Mr. Zipper asked if an estimate has been made for the complete package including any improvements to the 53 acres. Mayor Holden commented that the complete package, in a perfect world, would be about \$13 million. T&M Associates has been hired as the design team and took the needs studies for Madison and other towns; the most immediate needs will be taken first.

Sam Cerciello, Park Avenue, commented at length including that the concept on Main Street should be followed on Lincoln Place; asked that the Post Office be fixed up; he asked that the Lincoln Place project be kept simple. Mr. Cerciello spoke about the new restaurant near Quick Chek and the parking problem it creates. Lastly, Mr. Cerciello wanted to know what it costs Madison for outside consultants. Mr. Codey responded that the majority of consultants are funded through escrow fees. As to engineering consultants for Borough projects, Council allocated \$200,000 for professional services in order to accomplish an aggressive road improvement program, of which only \$125,000 was spent on consultants. Mr. Cerciello spoke of other areas of Madison that need improvement.

Unfinished Business - None

APPROVAL OF VOUCHERS

On motion by Mr. Conley, seconded by Mrs. Vitale 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 \$10,067.35

Health & Public Assistance 11,976.20

Public Works & Engineering 150,511.22

Community Affairs 408.82

Finance & Borough Clerk 104,227.50

Utilities 1,415,508.64

Total \$1,692,699.73

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

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

New Business

Mayor Holden announced the following appointment requesting Council confirmation:

Daniel Buckelew, Deputy Zoning Officer through December 31, 2008

Mrs. Tsukamoto moved approval of the aforementioned appointment. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mrs. Vitale, Mr. Elias

Mr. Conley, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Adjourn and reconvene executive session

There being no further business to come before the Council, the meeting was adjourned and the Executive Session immediately reconvened at 10:30 p.m. by voice vote.

ADJOURNMENT

The Regular Meeting reconvened and immediately adjourned at 11 p.m.

Respectfully submitted,

Marilyn Schaefer

Borough Clerk

Approved December 18, 2009 (MS)

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