

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

May 11, 2009 - 7 p.m.

Call to Order

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 11th day of May 2009. Mayor Holden called the meeting to order at 7 p.m. in the Mayor's Office, Room #210 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 Bayley-Ellard High School, and filing a copy in the office of the Clerk, all on January 6, 2009. 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 Mary-Anna Holden

Council Members:

Astri J. Baillie

John M. Elias

Jeannie Tsukamoto

Vincent A. Esposito

Carmela Vitale

Absent: Robert H. Conley, excused

Also Present:

Raymond M. Codey, Borough Administrator

Marilyn Schaefer, Borough Clerk

Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

Two Contract Matters, two Personnel Matters and one Litigation Matter were added to the Executive Agenda.

Reading of Closed Session Resolution

Mrs. Tsukamoto moved:

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

MINUTES (2)

April 13, 2009 Executive

April 27, 2009 Executive

CONTRACT MATTERS (10)

LIBERTY MUTUAL

MADISON COMMUNITY POOL LEASE

SHARED SERVICES MORRIS TWP/MORRISTOWN

CONSOLIDATE PLAN--GROUP LIFE AND AD&D

DANFORTH TRAIL

MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND

FINANCIAL CONSULTATION SERVICES

CHANGE ORDER

REJECTING JANITORIAL BIDS

VACATION OF DOUGLAS AVENUE

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

PERSONNEL MATTERS (3)

ACTING BOROUGH CLERK

LEADMAN POSITION

POLICE CHIEF

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

LITIGATION MATTERS (3)

NOVARTIS

COMBE LANDFILL

STOP & SHOP MADISON

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

Seconded: Ms. Baillie

Vote: Approved by unanimous voice vote of members present

Reconvene in Council Chamber

Mayor Holden reconvened the Regular Meeting at 8 p.m. in the 3rd Floor Meeting Room of Bayley-Ellard with all members present, except Mr. Conley, who was absent excused. The Pledge of Allegiance was recited by all.

PROCLAMATIONS:

Mayor Holden read and presented the following proclamation to Sal Piccolo of the Madison Bicycle Shop and Don Wone from TransOptions:

-

P r o c l a m a t i o n
of the
B o r o u g h o f M a d i s o n
Proclaiming

BIKE TO WORK WEEK

May 11 – May 15, 2009

WHEREAS, bicycle riding is a viable and environmentally-sound form of transportation, an alternative means of commuting to work, an excellent form of fitness and provides quality family recreation; and

WHEREAS, we acknowledge TransOptions, Inc. for their support of bicycle riding, greater public awareness of bicycle operation and safety education, and the sponsorship of Bike to Work Week, May 11th through May 15th; and

WHEREAS, we acknowledge supporters for graciously contributing to growing awareness of bicycle riding and safety education; and

WHEREAS, we acknowledge sponsors for generously supporting Madison Bike to Work Day on Thursday, May 14th and thank Sal Piccolo of the Madison Bicycle Shop for hosting the event and Whole Foods Market for providing refreshments and as such, enhancing the quality of life for residents and commuters;

NOW, THEREFORE, I, Mary-Anna Holden, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim Monday, May 11 through Friday, May 15, 2009 to be **BIKE TO WORK WEEK** and urge our citizens to participate in this endeavor.

Mary-Anna Holden, Mayor

May 11, 2009

Mayor Holden read and presented the following proclamation honoring Sandra B. Fielo, RN, EdD, BC, Certified Gerontological Nurse:

P r o c l a m a t i o n
of the
B o r o u g h o f M a d i s o n

Honoring
Sandra B. Fielo
RN, EdD, BC, Certified Gerontological Nurse

WHEREAS, the Governing Body of the Borough of Madison recognizes Sandra Fielo for her induction into the Nursing Education Alumni Association Hall of Fame at Teachers College Columbia University held at the 46th Annual Isabel Maitland Stewart Nursing Research Conference on April 24, 2009; and

WHEREAS, the contributions of Hall of Fame members must have enduring value beyond the nominee's lifetime and Sandra Fielo is being honored for her leadership in nursing education and healthcare; and

WHEREAS, Sandra is Chair and has been a member since 2002 of the Borough of Madison Senior Citizens Advisory Committee whose purpose is to communicate senior related needs such as recreation, transportation, housing and medical care to the Mayor and Council; and Sandra has also chaired the Madison Access Project whose mission is to raise merchant awareness of the accessibility needs of elderly and disabled shoppers; and

WHEREAS, Sandra Fiolo developed and directs the Stay Healthy Program that impacts the lives of senior citizens in Madison by providing medical consultation, encouraging participation in health-related programs and promoting a proactive stance on staying healthy. This program is designed to help elders adjust to life with chronic diseases and inevitable changes associated with aging while focusing on maintaining a healthy lifestyle; and

WHEREAS, the Stay Healthy Program was awarded top honors in 2008 by the National Council on Aging/CVS Pharmacy and the National Institute of Senior Centers for its initiative, Prescription for Better Health and Wellness. The award recognizes a senior center for outstanding work in promoting a healthy lifestyle for seniors; and

WHEREAS, Sandra's contributions to nursing education also include making presentations outside the community such as to the Greater Passaic Valley Public Health Nurse Association, Department of Health in West Milford on the Stay Healthy Program and at the request of the Alan M. Voorhees Transportation Center at Rutgers University developed and presented the Age Related Change portion of their Senior Walkability Workshop pilot program;

NOW, THEREFORE, I, Mary-Anna Holden, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby congratulate Sandra Fiolo for induction into the NEAA Hall of Fame at Teachers College Columbia University. On behalf of the community, I extend thanks and appreciation for her contributions to nursing education and the Madison Senior Center.

Mary-Anna Holden, Mayor

May 11, 2009

Mayor Holden called forward Police Officer Alan Imperiale, and also Council Liaison to Public Safety Astri Baillie, Acting Police Chief John Trevena, Sergeant Stephen Carpenter and Police Officer Christopher Keller, to honor Police Officer Alan Imperiale before he heads off to Iraq for his third tour of duty; Officer Imperiale is a Captain in the Marine Corps. The Mayor and Council presented Officer Imperiale with prepaid phone cards as a send-off, and Mayor Holden added that all look forward to having him back with the Borough at the end of his tour. Officer Imperiale thanked everyone in Madison for their support; he was preceded out of the meeting room, along with his fellow officers, led by Police Officer Keller playing on the bagpipe the Marine Corps Hymn, "From the Halls of Montezuma, To the Shores of Tripoli"; there was a long round of applause.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of April 13, 2009 and April 27, 2009**. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Abstain: Mrs. Vitale

Absent: Mr. Conley

Ms. Baillie moved approval of the **Regular Meeting Minutes of April 13, 2009**, with the following amendments:

Page 9 under Ordinance 11-2009 for Hearing:

..... and what should be encouraged. ~~The planners looked at this area and decided they wanted to protect the historic area; the current R-4 zoning does not protect historic preservation. The Bottle Hill District is protected if public money is being used.~~ The new zone has stronger language for historic preservation. It allows a developer to put properties together and incentivizes that. It is a **an appropriate good space area** for attached houses or town houses.

.....

The motion was seconded by Mrs. Tsukamoto and passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito

Nays: None

Abstain: Mrs. Vitale

Absent: Mr. Conley

Ms. Baillie moved approval of the **Regular Meeting Minutes of April 27, 2009**, with the following amendments:

Page 3, 1st paragraph of Discussion #1:

.....Of note was that the proposed budget contains no pension deferrals; **no layoffs and furloughs** ~~officials are not talking about layoffs and furloughs, only personnel reductions~~ **only through attrition**; through attrition; . **¶This** proposed budget contains over \$500,000 of spending reductions **removed** since the last meeting **and a transfer of \$5.2 million of municipal surplus for tax relief. Eliminating electric and water charges from Borough owned properties enables the Borough to provide comparable Library funding at 2008 levels.** There are no additional water and electric increases for the remainder of 2009. **The Borough will meet all our existing contractual obligations and will maintain all municipal services.**

.....

The motion was seconded by Mrs. Tsukamoto and passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

Mayor Holden announced that Discussion #6 and Ordinance 25-2009 have been removed from the Agenda.

REPORTS OF COMMITTEES

Public Safety

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

Two weeks ago the Fire Department responded to a serious house fire on Alexander Avenue. Madison's firefighters encountered extremely dangerous conditions; it took firefighters over one hour to bring the fire under control; fortunately there were no injuries, although a few firefighters had to be treated for heat stress; firefighters were able to rescue the family dog from the basement; the fire was determined to be accidental. Assistance was received from the Madison Electric Department, which quickly responded and cut power to the house.

As Liaison to the Ad Hoc Advisory Committee for development of the 53 acres, the Committee met last week under the Chairmanship of Jennifer McCulloch; a concept plan was presented to the Committee by T&M Associates of Middletown; its purpose was to show the Committee the presence of wetlands at the site and Department of Environmental Protection restrictions; this meeting was a "jumping off" point; subcommittees have been formed and the subcommittees will meet within the next few weeks in time for the Committee's next meeting in the beginning of June.

Utilities

Mr. Elias, Chair of the Committee, no report.

Public Works and Engineering

Mrs. Vitale reported for Mr. Conley, who was absent. Road construction commenced March 16, 2009, on Dellwood, Loveland, Midwood, part of Green and Prospect, Orchard, Douglas, James, Drew, Strickland, Station and Woodcliff. To date, Drew Place is 95% done, Strickland Place is 85% done, James Place is 95% done, and a portion of Douglas Avenue is 85% done, including new storm sewers, dry wells, storm receptors, curbs, driveway repairs, topsoil and seed. Midwood Terrace to date is about 35% done and Prospect is 46% done and

includes new storm sewers, curb and sidewalks. Water main replacements on Fletcher Place, Durwood Place, Pine Tree Terrace and portions of Niles Avenue to date have been completed.

The public bid opening for the Hartley Dodge Memorial (HDM) renovation project took place on April 16, 2009. Merrell & Garaguso, Inc., of Swedesboro, NJ, was awarded the contract at the last meeting. A pre-construction meeting will be scheduled within the next 30 days.

Plans and specifications for the North Street pump station are ready for bid, and the project is scheduled to be under way in mid-summer.

Health & Public Assistance

Carmela Vitale, Chair of the Committee, made the following comments:

Commenting on the swine flu, there have been no confirmed cases in Morris County. The Madison Health Department continues to closely monitor the situation and keep residents advised under State protocol. They are also working with the County Health Department, Madison Police Department and the Office of Emergency Management; Acting Police Chief Trevena is helping with emergency planning.

Finance and Borough Clerk

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

Mrs. Tsukamoto was happy to report that after a nine-month effort, the Council is ready to introduce the 2009 Budget this evening, which reflects a 2.3% tax increase. Despite a significant increase in employee-related costs and significant decrease in electric utility revenues, the Borough is able to maintain all municipal services and meet all existing contractual obligations by working diligently to reduce spending and also by transferring an unprecedented \$5.2 million in municipal surplus; also the Borough is not proposing any additional electric and water rate increases for the remainder of the year. On the Capital side, the Borough is embarking on the renovation of the Hartley Dodge Memorial (HDM) building, and continuing to address Madison's infrastructure and recreational needs; the Borough is purchasing the fields behind this building for open space and recreational fields.

Community Affairs

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

Last weekend was May Day, Madison's beautification day, which was a great success. Dr. Esposito acknowledged the Downtown Development Commission (DDC) as sponsor of the event, Mara Johnson who put all the groups together, the expertise of the Shade Tree Management Board and all the volunteers who came out to help spruce up Madison. It was a great effort on everyone's part; the mulch was readied by the Public Works Department the day before; May Day should be an everyday affair.

GREETINGS TO PUBLIC

Mayor Holden made the following announcements:

Mayor Holden announced the receipt of a letter from Congressman Frelinghuysen informing the Borough that it has been awarded a grant under the Safe Routes to School grant program for the Kings Road School Pedestrian Improvements at Samson Avenue Infrastructure project in the amount of \$116,000.00. These funds were made available to the State through the 2005-2009 SAFETEA-LU federal legislation.

EMPLOYEE ANNIVERSARIES:

25th Anniversary

Kevin Boone – Madison Police Department on May 29th

John Keymer – Madison Police Department on May 29th

35th Anniversary

David Maines – Superintendent of Public Works on May 14th

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 on those items listed on the Agenda only. 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.**

Joshua Roth, Glenwild Road, in a long statement, spoke out against the length of time it took to adopt the 2009 Budget and what he felt was an injustice done to Library workers as a result.

William Marshall, Lakeview Drive, Morris Plains, NJ, representative of the Bayley-Ellard High School Foundation, a New Jersey non-profit corporation, in a long statement, asked that all matters with respect to Ordinance 20-2009 be tabled; Mr. Marshall stated that the BEHS Foundation is preparing to file suit. Mr. Mezzacca was recognized by the Chair and commented that the Borough is on solid ground and hoped the BEHS Foundation would reconsider.

Abby Kalan, Madison Library reference librarian, commented further on what Mr. Roth spoke about earlier, and added that shorter hours and less pay due to budget constraints negatively affects their pension.

Larry Forno, BEHSF, in a long statement, commented it is their intention to reopen Bayley-Ellard High School.

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

Agenda Discussions

05/11/2009-1 Appropriate \$2,000.00 from the Fire Department Trust Account for Rescue lift bags

There was Council agreement to approve the Fire Chief's request as presented by Mr. Codey.

Ordinance 21-2009 is listed for introduction later in the meeting.

05/11/2009-2 RESOLUTION SUPPORTING BOROUGH OF MADISON PARTICIPATION IN SUSTAINABLE JERSEY MUNICIPAL GOVERNMENT CERTIFICATION PROGRAM

There was consensus to approve Mayor Holden's request to list a resolution on the Consent Agenda in support of Madison participating in the Sustainable Jersey Municipal Government Certification Program. Sustainable Jersey is a certification program for municipalities in New Jersey that want to go green, control costs and save money, and take steps to sustain their quality of life over the long term; Sustainable Jersey encompasses issues such as global warming, pollution, biodiversity, land use, air and water quality, equity, buying local, local living economies and sustainable agriculture.

Resolution R 137-2009 is listed on the Consent Agenda.

05/11/2009-3 CAP BANK ORDINANCE; RESOLUTION ASSUMING SELF-EXAMINATION OF THE 2009 BUDGET

There was consensus to list the Cap Bank Ordinance 24-2009 for introduction later in the meeting and to list Resolution R 144-2009 assuming self-examination of the 2009 Budget.

05/11/2009-5 MUSEUM OF EARLY TRADES & CRAFTS APPLICATION FOR A GRANT TO NEW JERSEY HISTORIC TRUST

There was consensus to approve Ms. Baillie's recommendation to adopt a resolution on the Consent Agenda authorizing signature on the Museum of Early Trades & Crafts grant application to the New Jersey Historic Trust.

Resolution R 141-2009 is listed on the Consent Agenda.

05/11/2009-4 Appropriate funds from the General Capital Improvement Fund for emergency sewer main problem & tree removal at woodside & glendale roads

Mr. Codey commented on the emergency sewer main problem and tree removal, after which there was consensus to approve Superintendent of Public Works David Maines' request to appropriate \$26,863.20 from the General Capital Improvement Fund for emergency sewer repairs at Woodside and Glendale Roads.

Ordinance 22-2009 is listed for introduction later in the meeting.

05/11/2009-6 SECOND APPRAISAL FOR BAYLEY-ELLARD ACQUISITION

This discussion was removed from the Agenda as a second appraisal was done on the property before the purchase.

Advertised Hearings

Ordinance 20-2009 scheduled for hearing was introduced by title and passed on first reading at a Regular Meeting of the Council held on April 27, 2009, was posted and filed according to law, and copies were made available to the general public requesting same.

Mayor Holden called up Ordinance 20-2009 for second reading and asked the Clerk to read said ordinance by title:

ORDINANCE 20-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$50,000.00 FROM THE OPEN SPACE AND RECREATION TRUST FUND FOR THE PURCHASE OF PROPERTY LOCATED AT 205 MADISON AVENUE, BEING A PORTION OF LOT 1, BLOCK 201, FROM THE DIOCESE OF PATERSON

Mayor Holden opened up the public hearing on Ordinance 20-2009.

William Marshall, Lakeview Drive, Morris Plains, NJ, representative of the BEHS Foundation, wished to incorporate his statement made earlier on behalf of the BEHS Foundation, and mentioned his purpose was to put the Borough on notice not to interfere with the Trust.

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

Ms. Baillie moved that Ordinance 20-2009, which the Borough Clerk read by title, be finally adopted. Dr. Esposito seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

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

Borough Clerk's Statement:

Ordinances being introduced will have a hearing date set for Wednesday, May 27, 2009, at which time all interested individuals will have an opportunity to be heard and there will be consideration for final passage; each will be published and filed according to law, and copies will be made available upon request.

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

ORDINANCE 21-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$2,000.00 FROM THE FIRE DEPARTMENT TRUST FUND FOR THE PURCHASE OF RESCUE LIFT BAGS

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$2,000.00 from the Fire Department Trust Fund to purchase three Rescue Lift Bags; and

WHEREAS, the Director of Finance has attested to the availability of the funds in the Fire Department Trust Fund in an amount not to exceed \$2,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$2,000.00 from the Fire Department Trust Fund to purchase three Rescue Lift Bags; and

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 \$2,000.00 is hereby appropriated from the Fire Department Trust Fund to replace the compressor on the Hartley Dodge Memorial chiller for the air conditioning.

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.

Mrs. Baillie moved that Ordinance 21-2009, which the Borough Clerk read by title, be adopted. Dr. Esposito seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

ORDINANCE 22-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$26,863.20 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR EMERGENCY SEWER MAIN WORK AND TREE REMOVAL AT WOODSIDE ROAD AND GLENDALE ROAD

WHEREAS, the Superintendent of Public Works has advised the Council that emergency services were needed from Chatham Main (\$26,203.20) and Honor Tree Removal (\$660.00) on March 29, 2009 and March 30, 2009 on Woodside & Glendale Roads for a Sewer Main problem; and

WHEREAS, the Borough expended \$26,863.20 to replace the water main on an emergency basis, pursuant to N.J.S.A 40A:11-6; and

WHEREAS, the Borough Engineer has requested that the Borough appropriate \$26,863.20 from the General 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 General Capital Improvement Fund in an amount not to exceed \$26,863.20 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$26,863.20 from the General Capital Improvement Fund for the emergency services required from Chatham Main (\$26,203.20) and Honor Tree Removal (\$660.00) on March 29, 2009 and March 30, 2009 on Woodside & Glendale Roads for a Sewer Main problem; and

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 \$26,863.20 is hereby appropriated from the General Capital Improvement Fund for the emergency services required on Woodside & Glendale Roads.

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.

Mrs. Vitale moved that Ordinance 22-2009, which the Borough Clerk read by title, be 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, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

ORDINANCE 23-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$44,095.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR DOUGLAS AVENUE ROAD PROJECT BY CIFELLI & SON

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$44,095.00 from the General Capital Improvement Fund for work to abandon the southern portion of Douglas Avenue between Orchard Street and Rachael Avenue; 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 \$44,095.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$44,095.00 from the General Capital Improvement Fund for work to abandon the southern portion of Douglas Avenue between Orchard Street and Rachael Avenue; and

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 \$44,095.00 is hereby appropriated from the General Capital Improvement Fund for work to abandon the southern portion of Douglas Avenue between Orchard Street and Rachael Avenue.

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.

Mrs. Vitale moved that Ordinance 23-2009, which the Borough Clerk read by title, be adopted. Mr. Elias seconded the motion. The expense is for narrowing the roadway, relocation of a fire hydrant, relocation of a tree and shrubbery, and the creation of the truncated portion that will become a public recreational space for area residents. There was no further discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

Ordinance 24-2009

**CALENDAR YEAR 2009
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Madison in the County of Morris finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1 % increase in the budget for said year, amounting to \$ 175,119 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Madison, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Borough of Madison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$612,918 and that the CY 2009 municipal budget for the Borough of Madison be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mrs. Tsukamoto moved that Ordinance 24-2009, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

BUDGET INTRODUCTION

Statement by Borough Clerk:

Upon introduction and adoption, the 2009 Budget and Tax Resolution will be published by summary in the Madison Eagle on May 28, 2009, with a public hearing date set for June 22, 2009, at 8 p.m. in Room #320 of Bayley-Ellard High School, 205 Madison Avenue off Danforth Road, at which time and place all interested individuals will have an opportunity to be heard, and there will be consideration for final adoption. A copy of the budget as introduced will be filed with the Madison Public Library and the County Library for public review.

**R 131-2009 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING
2009 BUDGET AND TAX RESOLUTION**

[<View 2009 Budget Document>](#)

Mrs. Tsukamoto read R 131-2009 by title and moved approval. Ms. Baillie seconded the motion. Mrs. Vitale commented that Sheet 22 "Current Fund – Appropriations" has been corrected before introduction as follows: Inter-Municipal ~~Health~~Contracts for Tax Assessor Services.

Chief Financial Officer Robert Kalafut confirmed that Sheet 22 has been corrected for submission to the State upon Council approval of the Budget. There was no further discussion and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

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

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

R 132-2009

**RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING
SETTLEMENT AGREEMENT WITH LIBERTY MUTUAL**

WHEREAS, the general contract for the construction of the Fire and Police Building was terminated by the Borough upon notice to Eastern Builders, Inc. (hereinafter "Contractor"), on May 7, 2007; and

WHEREAS, the Contractor had posted a performance bond and a payment bond, both issued by Liberty Mutual Insurance Company (hereinafter "Liberty") for the benefit of the Borough of Madison; and

WHEREAS, Liberty was notified by the Borough on May 7, 2007, that the Contract had been terminated and the Borough sought Liberty to perform under both bonds that were posted; and

WHEREAS, the Borough representatives and Liberty entered an agreement whereby Liberty performed the remaining contractual obligations of the Contractor, performed corrective work and completed the Fire and Police Building; and

WHEREAS, Liberty contracted with Whiting-Turner to complete the Fire and Police Building; and

WHEREAS, the Borough has negotiated a settlement agreement with Liberty individually and as assignee and attorney-in-fact for Contractor, whereby the Borough has taken a reduction in the final payment due to Liberty, and Liberty and the Borough have agreed to mutual releases whereby the Borough is released from any further payment obligations, and a certain punchlist is attached to the settlement agreement for which the Borough Attorney will hold a \$100,000.00 escrow until said items are satisfactorily completed, and by which agreement mutual releases are given between Liberty individually and as assignee of Contractor with the Borough's architects and construction manager; and

WHEREAS, the Council has determined that it is in the best interest of the Borough to enter into such settlement 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 execute a final settlement agreement with Liberty Mutual Insurance Company individually and as assignee and attorney-in-fact for Eastern Builders, Inc. regarding the contract between the Borough and Eastern Builders, Inc. for the construction of the Madison Fire and Police Building, in a form as approved by the Borough Attorney.

R 133-2009

RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING LEASE AGREEMENT WITH MADISON POOL CORPORATION

WHEREAS, on November 18, 1968, the Borough of Madison (the "BOROUGH") entered into a Lease with the Madison Community Pool Corporation ("POOL CORPORATION") which Lease was amended on September 25, 1979, February 12, 1991, April 10, 1995, and July 25, 2002, respectively and which has been extended thru May 31, 2009; and

WHEREAS, the BOROUGH and the POOL CORPORATION have agreed to further modify the Lease and to extend its term for twenty-five (25) years; and

WHEREAS, the Lease amendment will re-define the boundary of the property being leased to the Pool Corporation, provide for shared use of the parking lot with the Borough when not in use by the Pool Corporation, and provide for the Borough to maintain and repair the parking lot.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey are authorized to execute the Amendment to the Lease Agreement as described herein with the Pool Corporation, in a form approved by the Borough Attorney.

R 134-2009

RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPROVAL OF DREW UNIVERSITY 5K RUN IN MADISON ON FRIDAY, MAY 8, 2009, AT 6 P.M.

WHEREAS, the Drew University Office of Alumni/ae & Parent Relations has requested permission to use Glenwild Road and Loantaka Way, including closing Glenwild Road for approximately ½ hour, in connection with a "5K run" in Madison on Friday, May 8, 2009 commencing at 6 p.m. on Drew University Campus; and

WHEREAS, The Madison Police Chief recommends approval of this request;
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, County of Morris, State of New Jersey, that the request of the Drew University Office of Alumni/ae & Parent Relations is hereby granted permission to use Glenwild Road and Loantaka Way, including closing Glenwild Road for approximately ½ hour, in connection with a "5K run" in Madison to be conducted on Friday, May 8, 2009 commencing at 6 p.m., on Drew University Campus, subject to any safety requirements imposed by the Madison Police Department.

R 135 – 2009

RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY 12 MILES WEST THEATRE COMPANY INC. TO CONDUCT AN ON-PREMISE MERCHANDISE RAFFLES GAME AND AN ON-PREMISE 50/50 RAFFLES GAME ON SUNDAY, JUNE 7, 2009, AT PLAZA LANES IN MADISON

WHEREAS, N.J.S.A. 5:8-1 et seq. and N.J.A.C. 13:47-1.1 et seq. prohibit the conducting of games of chance on Sunday unless specifically authorized by a duly adopted municipal ordinance; and

WHEREAS, on March 8, 1982, the Council of the Borough of Madison adopted Ordinance No. 5-82 to allow the Council, by resolution, to permit qualified organizations to conduct games of chance on Sunday; and

WHEREAS, the New Jersey Legalized Games of Chance Control Commission has issued Registration Identification No. 42-5-36832 to the 12 Miles West Theatre Company Inc.; and

WHEREAS, Applications for Raffles Licenses, together with all necessary documents and fees, have been submitted to the Madison Borough Clerk's Office by the 12 Miles West Theatre Company Inc. to conduct an On-Premise Merchandise Raffles Game and an On-Premise 50/50 Raffles Game on Sunday, June 7, 2009, at Plaza Lanes, 300 Main Street, Madison;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the afore-mentioned Applications for Raffles Licenses, R.A. No. 1112 for the On-Premise Merchandise Raffle and R.A. No. 1113 for the On-Premise 50/50 Raffle, to be held as listed above, be and the same are hereby approved.

BE IT FURTHER RESOLVED that a certified copy of this

Resolution be forwarded to the Legalized Games of Chance Control Commission.

R 136 - 2009

RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY COVENANT HOUSE AUXILIARY OF MORRIS COUNTY TO BE HELD AT 4 MADISON AVENUE ON SEPTEMBER 26, 2009

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, which raffle is to be held at 4 Madison Avenue, be and the same is hereby approved:

COVENANT HOUSE AUXILIARY OF MORRIS COUNTY

I.D. No. 274-4-36780

R.A. No. 1114 – On Premise

September 26, 2009

BE IT FURTHER RESOLVED that a certified copy of this

Resolution be forwarded to the Legalized Games of Chance Control Commission.

R 137-2009

RESOLUTION SUPPORTING BOROUGH OF MADISON PARTICIPATION IN SUSTAINABLE JERSEY MUNICIPAL GOVERNMENT CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Madison strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Borough of Madison hereby acknowledges that the residents of the Borough of Madison desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Borough of Madison wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Borough of Madison is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Borough of Madison, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that to focus attention and effort within the Borough of Madison on matters of sustainability, the Madison Borough Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Madison Borough Council of the Borough of Madison that we do hereby authorize Administrator Raymond M. Codey to serve as the Borough of Madison's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf of the Borough of Madison.

R 138-2009

RESOLUTION OF THE BOROUGH OF MADISON TERMINATING GROUP LIFE AND AD&D POLICIES WITH HUMANA (POLICE OFFICERS) AND

PRUDENTIAL (FIREFIGHTERS) AND AUTHORIZING CONTRACT WITH THE STANDARD EFFECTIVE JUNE 1, 2009

WHEREAS, the Borough currently has a contract for group life insurance and accidental death ("AD&D") policies from Humana for the Madison police officers and from Prudential for the Madison firefighters; and

WHEREAS, the Purchasing/Personnel Officer has recommended terminating the said policies and consolidating them with The Standard effective June 1, 2009; and

WHEREAS, the Purchasing/Personnel Officer has indicated that taking such action would save the Borough \$27,700 over a three year period; and

WHEREAS, The Standard provided a three year rate guarantee.

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 Purchasing/Personnel Officer is authorized to terminate the Humana group life insurance and AD&D policies for police officers and the Prudential group life and AD&D policies for the firefighters and secure such coverage through a consolidated plan with The Standard effective June 1, 2009.

R 139-2009

RESOLUTION OF THE BOROUGH OF MADISON APPOINTING BROWN & BROWN METRO, INC. AS BROKER FOR CONSOLIDATED POLICE AND FIREFIGHTER GROUP LIFE AND AD&D POLICIES WITH THE STANDARD

WHEREAS, the Purchasing/Personnel Officer has recommended terminating the group life and AD&D policies with Humana for the police officers and with Prudential for the firefighters and consolidating them with The Standard effective June 1, 2009, which recommendation is set forth in R 138-2009; and

WHEREAS, the Purchasing/Personnel Officer has further recommended that the Borough appoint Brown & Brown Metro, Inc., of 26 Columbia Turnpike, Florham Park, New Jersey 07932 as the broker for the consolidated coverage with The Standard.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that Brown & Brown Metro, Inc. of 26 Columbia Turnpike, Florham Park, New Jersey 07932 is appointed as broker for the group life insurance and AD&D policies for the police officers and the firefighters with The Standard.

R 140-2009

**RESOLUTION OF THE BOROUGH OF MADISON GRANTING
KALEIDOSCOPE OF HOPE FOUNDATION PERMISSION TO TIE RIBBONS
AROUND TREES ON THE MAIN STREETS OF MADISON FROM
SEPTEMBER 1, 2009 THROUGH SEPTEMBER 30, 2009 IN SUPPORT OF
THEIR TURN THE TOWNS TEAL CAMPAIGN TO FIGHT OVARIAN CANCER**

WHEREAS, the Kaleidoscope of Hope Foundation has requested permission for ribbons to be tied on Borough street trees on the main streets of the Borough from September 1, 2009 to September 30, 2009 in support of their "Turn the Towns Teal Campaign" to fight ovarian cancer; and

WHEREAS, the Borough Council has determined to grant this request with the understanding that the ribbons be removed after September 30, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request for ribbons to be tied on Borough street trees from September 1, 2009 to September 30, 2009 in support of the Kaleidoscope of Hope Foundation "Turn the Towns Teal Campaign" to fight ovarian cancer is hereby approved.

BE IT FURTHER RESOLVED that the Kaleidoscope of Hope Foundation will arrange for removal of the ribbons after September 30, 2009.

R 141-2009

**RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING GRANT
APPLICATION TO NEW JERSEY HISTORIC TRUST BY THE MUSEUM OF
EARLY TRADES & CRAFTS**

WHEREAS, the Museum of Early Trades & Crafts intends to submit a grant application to the New Jersey Historic Trust; and

WHEREAS, the Museum of Early Trades & Crafts has requested that the Borough sign the grant application, as the owner of the building; and

WHEREAS, the Borough Administrator has recommended that the Borough authorize the Mayor and Borough Clerk to sign the Museum of Early Trades & Crafts grant application to the New Jersey Historic Trust.

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 Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to sign the Museum of Early Trades & Crafts grant application to the New Jersey Historic Trust.

R 142-2009 was removed from the Agenda and the # retired.

R 143-2009

RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT IN THE AMOUNT OF \$44,095.00 TO CIFELLI & SON GENERAL CONSTRUCTION INC. FOR DOUGLAS AVENUE ROAD PROJECT

WHEREAS, a contract for the 2008 Road Improvement Program, in an amount not to exceed \$2,019,071.00 was awarded to Cifelli and Son General Construction of Nutley, New Jersey, by Resolution 226-2008; and

WHEREAS, the Borough Engineer has recommended approval of a change order to the contract for work to abandon the southern portion of Douglas Avenue between Orchard Street and Rachael Avenue to expand a pocket park, in an additional amount of \$44,095.00 bringing the contract total to \$2,063,166.00; and

WHEREAS, the Director of Finance has attested to the availability of funds in an amount not to exceed \$44,095.00 for this purpose, upon final adoption of Ordinance 23-2009.

WHEREAS, the Borough is required to adopt an ordinance to vacate a portion of Douglas Avenue prior to any work taking place; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that upon final adoption of Ordinance 25-2009 authorizing the vacating of a portion of Douglas Avenue and the final adoption of Ordinance 23-2009, the change order request from Cifelli and Son General Construction of Nutley, New Jersey, in the total amount not to exceed \$44,095.00 for the Douglas Avenue Road Project as a portion of the 2008 Road Improvement Program is authorized.

R 144-2009

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Madison has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Madison that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

R 145-2009

**RESOLUTION OF THE BOROUGH OF MADISON APPROVING MADISON
P.B.A. REQUEST TO USE THE BAYLEY-ELLARD GYMNASIUM FOR ITS**

DINNER/COMEDY SHOW ON SATURDAY, JUNE 6, 2009 FROM 7 P.M. TO 11 P.M.

WHEREAS, the Madison P.B.A. has requested permission to use the Bayley-Ellard Gym, on Saturday, June 6, 2009, from 7 p.m. to 11 p.m. for its Dinner/Comedy Show; and

WHEREAS, the Recreation Director has recommended that such permission be granted; and

WHEREAS, the Recreation Director also recommends that the Borough co-sponsor the event and waive the application fee; 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, as follows:

1. The Madison P.B.A. is hereby given permission to hold their Dinner/Comedy Show at the Bayley Ellard Gym, on Saturday, June 6, 2009.
2. The Recreation Director is directed to work with the Madison P.B.A. to facilitate the necessary arrangements.

R 146-2009

RESOLUTION OF THE BOROUGH OF MADISON REJECTING BIDS FOR THE 2009 JANITORIAL SERVICES – POLICE DEPARTMENT BID AND AUTHORIZING NEGOTIATION OF CONTRACT

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

WHEREAS, the Borough received one bid; and

WHEREAS, the sole bid was non-responsive because it did not meet the requirements in the bid specifications; and

WHEREAS, the Purchasing/Personnel Officer recommended that the sole bid be rejected; and

WHEREAS, on one previous occasion the Borough of Madison publicly advertised for bids for janitorial services for the Police Department, and all five bids received were non-responsive and were rejected; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(3), et seq., if the Borough has advertised for bids on at least two occasions and either did not receive any bids, or all bids were rejected, the Borough may then negotiate a contract with a vendor for the services required.

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 janitorial services for the Police Department are hereby rejected for the reasons set forth herein, and the Purchasing/Personnel Officer is authorized to negotiate a contract with a vendor.

INVITATION FOR DISCUSSION (2 of 2)

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

Donald Links, Trustee of the Library Board in Madison, commented that he was offended by Mr. Roth's earlier comments. There is a Board meeting this week.

Sam Cerciello, Park Avenue, commented that the Post Office property looks beautiful after the May Day beautification event; was not pleased that this meeting began 10 minutes late, and the last meeting began at 7:05 rather than at 6:30 p.m.; felt the morale is very bad in Madison and that nobody from Public Works signed up for May Day.

Jerry Stevenson, Ardsleigh Drive, thanked all the members of Council for their due diligence over the past five months working on the 2009 Budget; commented that yes, there was a problem on May Day, but thanks to Mara Johnson, Jim Burnet and all of the residents of Madison, the May Day volunteers were able to step in and operate extremely well without the usual assistance of Public Works.

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

Unfinished Business - None

APPROVAL OF VOUCHERS

On motion by Mrs. Tsukamoto, seconded by Ms. Baillie 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 \$921,209.54

Health & Public Assistance 4,596.62

Public Works & Engineering 203,809.84

Community Affairs 3,420.64

Finance & Borough Clerk 11,028,555.07

Utilities 57,504.21

Total \$12,219,095.92

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

Yeas: Ms. Baillie, Mr. Elias, Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale

Nays: None

Abstain: None

Absent: Mr. Conley

New Business - None

Adjourn and reconvene executive session

There being no further business to come before the Council, the meeting was adjourned at 9:25 p.m. and the Executive Session immediately reconvened.

RECONVENE AND ADJOURN

The Regular Meeting reconvened at 10:20 p.m. and immediately adjourned.

Respectfully submitted,

Marilyn Schaefer

Borough Clerk

Approved May 27, 2009 (MS)