

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

September 14, 2009 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 14th day of September 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 Acting 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 Acting Borough Clerk called the roll and the following acknowledged their presence:

Mayor Mary-Anna Holden

Council Members:

Astri J. Baillie
John M. Elias
Robert H. Conley
Jeannie Tsukamoto
Vincent A. Esposito
Carmela Vitale

Also Present:

Raymond M. Codey, Borough Administrator
Elizabeth Osborne, Acting Borough Clerk
Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

Two Litigation Matters 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:

EXECUTIVE SESSION MINUTES (1)

Executive Session Minutes of August 24, 2009

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

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CONTRACT MATTER (1)
CIVIC CENTER ELEVATOR

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

PERSONNEL MATTERS (2)
ROAD DEPARTMENT
EMPLOYEE PERFORMANCE EVALUATIONS

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

LITIGATION MATTERS (5)

STOP & SHOP
BAYLEY-ELLARD
COUGAR FIELD LIGHTING
CHATHAM DAY SCHOOL
147 PARK AVENUE

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

Seconded: Ms. Baillie

Vote: Approved by unanimous voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Holden reconvened the Regular Meeting at 8:15 p.m. in the 3rd Floor Meeting Room of Bayley-Ellard with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of August 24, 2009**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Abstain: Mrs. Tsukamoto

Ms. Baillie moved approval of the **Regular Meeting Minutes of August 24, 2009**, with the following correction:

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... The investigation ~~leads~~ **led** the Police Department to believe....

Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Abstain: Mrs. Tsukamoto

GREETINGS TO PUBLIC

Mayor Holden made the following comments:

Recognition of donation of an American Eagle figurine to the Madison Police Department from the Estate of Jack Gegowitz

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Mayor Holden asked that the Gegowitz family members present come forward and be recognized for their generous donation of a Boehm American Eagle figurine to the Madison Police Department. Police Chief Trevena gratefully accepted the donation on behalf of the members of the Madison Police Department.

Employees of the Month:

Employees of the Month for September are James Baumgartner, Daniel DeBiase and Michael Giordano of the Department of Public Works for their work on the expertly crafted handicap ramps and curb cuts throughout the Borough, making it easier for seniors and handicapped residents to get around; as well as for their work on other special projects, such as the excellent carpentry skills they applied to the two new doors at 10 Maple Avenue.

Mayor Holden thanked Bob Rocco of the “Off the Record” band for a Friday evening concert held in the Bayley-Ellard gym due to inclement weather.

Mayor Holden announced fund-raising opportunities to be held by the Friends of the Madison Public Library scheduled for the upcoming week at Whole Foods Market and Five Guys Burgers and Fries.

Mayor Holden noted her visits to Madison communities located in the State of Virginia. The Mayor reminded residents that Constitution Day is observed and celebrated on September 17, 2009.

REPORTS OF COMMITTEES

Public Safety

Ms. Baillie, Chair of the Committee, no report.

Utilities

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

Public Works and Engineering

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

Mr. Conley announced upcoming public works projects scheduled to bid in October, including the reconstruction of Pomeroy Road and the Kings Road-Prospect Street signal replacement. Mr. Conley also noted that the Public Works Department is hard at work maintaining ball fields for fall sports.

Finance and Borough Clerk

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

Mrs. Tsukamoto advised that the asbestos removal has been completed at the Hartley Dodge Memorial building.

Community Affairs

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

Dr. Esposito announced a Madison High School student is working toward her Girl Scout Gold Award. The highest award in Girl Scouts focuses on a Girl Scout's interests and personal journey through leadership skills, career explorations, self-improvement and service, including a project to raise funds for the purchase and installation of defibrillators at local ball fields. Dr. Esposito thanked the Madison Junior Football League, Recreation Department and Board of Education for their cooperation in moving games and practices due to improvement work at Dodge Field.

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Health & Public Assistance

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

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.**

Stacey Smollen, Garfield Avenue, inquired about opportunities for recreation programs for middle school students attending St. Vincent the Martyr School. Mrs. Smollen was encouraged to contact the Community Affairs liaison, Dr. Esposito, and/or Recreation Director Douglas Smith.

Sam Cerciello, Park Avenue, asked for an explanation of litigation matters listed on the Executive Session agenda. Mr. Mezzacca explained the general nature of each.

Edna Ierley-Byrne, Madison Senior Citizen Coordinator, thanked the Mayor and Council for the Senior Center elevator contract award. Mrs. Ierley-Byrne invited the Council and residents to attend the September 21st Senior Center “Kick-Off Cook-Out” to welcome a new season of programming.

Sam Cerciello, Park Avenue, suggested that work on the Loveland Street roadway reconstruction site was of poor quality and recommended better supervision of construction projects.

AGENDA DISCUSSIONS

09/14/2009-1 AUTHORIZE SUBMISSION OF THE SMART GRID INVESTMENT GRANT APPLICATION

There was agreement to submit an application for the Smart Grid Investment Grant for remote-read electric meters.

Resolution R 228-2009 is listed on the Consent Agenda.

09/14/2009-2 AUTHORIZE BOTTLE HILL DAY OCTOBER 3, 2009

There were no objections to authorizing the annual Bottle Hill Day to be held on October 3, 2009.

Resolution R 229-2009 is listed on the Consent Agenda.

09/14/2009-3 AUTHORIZE MADISON PBA #92 FIREWORKS DISPLAY OCTOBER 2, 2009

There were no objections to authorizing a request from Madison PBA Local #92 and Madison FMBA Local #74 for a fireworks display on October 2, 2009.

Resolution R 230-2009 is listed on the Consent Agenda.

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09/14/2009-4 AUTHORIZE SUBMISSION OF U.S. DEPARTMENT OF TRANSPORTATION GRANT APPLICATION FOR INFRASTRUCTURE IMPROVEMENTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT (TIGER)

Main Street Executive Director Jim Burnet explained details of an application for infrastructure improvements under the American Recovery and Reinvestment Act. Improvements requested include a parking deck, traffic signal optimization and infrastructure enhancement to the Lincoln Place area. Following discussion, there was agreement to submit an application.

Resolution R 232-2009 is listed on the Consent Agenda.

09/14/2009-5 AUTHORIZE INCREASE FUNDING TO MADISON FOOTBALL CLUB BY \$2,500.00 DUE TO RELOCATION FROM DODGE FIELD

There were no objections to increasing funding to the Madison Football Club due to lost fund-raising opportunities caused by improvement work at Dodge Field.

Resolution R 233-2009 is listed on the Consent Agenda.

ADVERTISED HEARINGS

The Acting Clerk made the following statement:

The ordinance scheduled for hearing tonight was submitted in writing at a Regular Meeting of the Mayor and Council held on August 10, 2009, was introduced by title and passed on first reading, was published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Holden called up the ordinance for second reading and asked the Acting Clerk to read said ordinance by title:

ORDINANCE 44-2009

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195, ARTICLE V OF THE BOROUGH CODE ENTITLED “LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF MADISON” TO AMEND THE ZONING MAP SO AS TO INCLUDE ALL OF LOTS 24 AND 25 IN BLOCK 4301 IN THE R-4 ZONE

WHEREAS, the Madison Planning Board recently reviewed the boundary line between the R-3 zone and the R-4 zone in connection with Lots 24 and 25 in Block 4301, and recommended that all of Lots 24 and 25 in Block 4301 be included in the R-4 zone and that the Official Zoning Map be amended to reflect such change; and

WHEREAS, the Borough Council desires to make such amendment to the Zoning Map, which map is incorporated into the Zoning Ordinance by Chapter 195-29.1 of the Borough Code.

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:

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SECTION 1: The Official Zoning Map, as adopted by Chapter 195 entitled “Land Development Ordinance of the Borough of Madison” Section 29.1 entitled “Zoning Map” is hereby amended to change the zone boundary line between R-3 and R-4 to include all of Lots 24 and 25 in Block 4301 on Lathrop Avenue in the R-4 zone.

SECTION 2: This Ordinance shall take effect as provided by law.

Mayor Holden opened up the public hearing on Ordinance 44-2009. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Conley moved that Ordinance 44-2009, which the Acting 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, Mr. Elias, Mr. Conley
Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale
Nays: None

Mayor Holden declared Ordinance 44-2009 adopted and finally passed, and ordered the Acting Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

Note: Ordinance 45-2009 was adopted at the Regular Meeting of the Mayor and Council on August 24, 2009.

INTRODUCTION OF ORDINANCES

The Acting Clerk made the following statement:

The ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of September 28, 2009, in the 3rd Floor Meeting Room of Bayley-Ellard High School, 205 Madison Avenue off Danforth Road in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinance will be published in the Madison Eagle, posted at the main entrance to Bayley-Ellard High School and made available to members of the public requesting same, as required by law.

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

ORDINANCE 46-2009

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$510,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR RECONSTRUCTION OF POMEROY ROAD

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$510,000.00 from the General Capital Improvement Fund for the Pomeroy Road Reconstruction project; and

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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 \$510,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$510,000.00 from the General Capital Improvement Fund for the Pomeroy Road Reconstruction project; 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 \$510,000.00 is hereby appropriated from the General Capital Improvement Fund for the Pomeroy Road Reconstruction project.

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

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

Mr. Conley moved that Ordinance 46-2009, which the Acting 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, Mr. Elias, Mr. Conley
Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale
Nays: None

CONSENT AGENDA RESOLUTIONS

The Acting 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. Ms. Baillie seconded the motion. There was Council discussion regarding Resolution R 231-2009, during which Mr. Elias stated his objection to appropriating additional funds for the Civic Center. The motion passed with the following roll call votes recorded:

Resolutions R 228-2009 through R 230-2009 and R 232-2009 through R 235-2009 passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley
Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale
Nays: None

Resolution R 231-2009 passed with the following roll call vote recorded:

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

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R 228-2009 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF SMART GRID INVESTMENT GRANT FOR FEDERAL STIMULUS DOLLARS TO INSTALL NEW ELECTRIC METERS

WHEREAS, the Borough Administrator has recommended that the Borough authorize the Mayor and Borough Clerk to submit a Grant Application to the Smart Grid Investment Grant Program in connection with installation of new electric meters; and

WHEREAS, the Borough Council has determined it is appropriate to authorize the Mayor and Clerk to sign a Grant Application to the Smart Grid Investment Grant Program in connection with installation of new electric meters.

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 and submit a Grant Application to the Smart Grid Investment Grant Program in connection with installation of new electric meters.

R 229-2009 RESOLUTION OF THE BOROUGH OF MADISON PROCLAIMING SATURDAY, OCTOBER 3, 2009 AS BOTTLE HILL DAY AND AUTHORIZING SIDEWALK SALES

WHEREAS, the Mayor and Council of the Borough of Madison have supported the celebration of Bottle Hill Day for the last thirty-five years; and

WHEREAS, Bottle Hill was the name given the community formed in Madison prior to the American Revolution; and

WHEREAS, celebrations commemorating Bottle Hill have been an integral part of the history of Madison; and

WHEREAS, Bottle Hill Day provides an excellent opportunity for all members of Madison families to participate in a Borough recreational activity.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that October 3, 2009 is hereby proclaimed as **BOTTLE HILL DAY**.

BE IT FURTHER RESOLVED, that the following activities are hereby authorized between the hours of 10 a.m. and 5 p.m.:

(1) Merchants contiguous to the sidewalks along the north and south sides of Main Street between Community Place and Greenwood Avenue, both sides of Green Village Road from Kings Road to Main Street, Central Avenue and Waverly

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Place be permitted to sell their merchandise on the sidewalks assuming they provide clear access for pedestrians.

(2) Vendors, entertainment and activities shall be allowed to set up at various locations that are approved by the Police Department and the Main Street Executive Director, on the western portion of Lincoln Place, both sides of Waverly Place, both sides of Central Avenue (from Main Street to Brittin Street), and Green Village Road between the James Building and the Museum of Early Trades and Crafts, which streets shall be closed to motor vehicle traffic during the event.

(3) The Elmer Street Municipal Parking Lot shall also be utilized for vendors, entertainment and activities as approved by the Police Department and the Main Street Executive Director.

R 230-2009 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MADISON PBA LOCAL #92 AND MADISON FMBA LOCAL #74 TO HOST A FIREWORKS DISPLAY ON FRIDAY, OCTOBER 2, 2009 AT MADISON HIGH SCHOOL

WHEREAS, Madison's Police Benevolent Association #92 (PBA) and the Madison Firemen's Mutual Benevolent Association #74 (FMBA) have applied for permission to hold a fireworks display on Friday, October 2, 2009, on the grounds at Madison High School; and

WHEREAS, the Borough Council has determined that such permission should be granted subject to the following conditions:

1. The display shall be in compliance with all laws and regulations governing a fireworks display;
2. Written permission from the Board of Education for use of their grounds shall be obtained;
3. A permit must be obtained from the Fire Official of Madison ensuring all applicable Fire Code requirements are met;
4. Adequate police personnel shall be present for crowd control and to ensure the area surrounding the fireworks is secured from unauthorized public entry;
5. The Fire Department shall be present with adequate personnel to maintain a fire watch for the duration of the event;
6. The display shall terminate by 11:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the request by Madison's Police Benevolent Association #92 (PBA) and the Madison Firemen's Mutual

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Benevolent Association #74 (FMBA) to hold a fireworks display on Friday, October 2, 2009, is hereby granted and approved subject to the above noted conditions.

**R 231-2009 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING CONTRACT TO MARK CONSTRUCTION, INC., IN THE AMOUNT
OF \$289,000.00 FOR CONSTRUCTION OF CIVIC CENTER ELEVATOR**

WHEREAS, the Borough of Madison publicly advertised for bids for construction of an elevator at the Civic Center (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 Mark Construction, Inc., of Montville, New Jersey, in the amount of \$289,000.00; and

WHEREAS, the Borough Administrator has recommended that the Borough Council award the contract to Mark Construction, Inc., in the amount of \$289,000.00; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$289,000.00 for this purpose which funds were appropriated by Ordinance 32-2009.

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 construction of an elevator at the Civic Center is hereby awarded to Mark Construction, Inc., of Montville, New Jersey, based upon its bid in the amount of \$289,000.00.

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

**R 232-2009 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING
SUBMISSION OF TIGER DISCRETIONARY GRANT APPLICATION TO U.S.
DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Borough Administrator has recommended that the Borough authorize the Mayor and Borough Clerk to submit a TIGER Discretionary Grant Application to the U.S. Department of Transportation to promote public transportation; and

WHEREAS, the Borough Council has determined it is appropriate to authorize the Mayor and Clerk to sign a TIGER Discretionary Grant Application to the U.S. Department of Transportation to promote public transportation.

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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 and submit a TIGER Discretionary Grant Application to the U.S. Department of Transportation to promote public transportation.

R 233-2009 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING INCREASED FUNDING TO MADISON FOOTBALL IN THE AMOUNT OF \$2,500.00

WHEREAS, the Borough Administrator has recommended that the Borough increase funding to Madison Football in the amount of \$2,500.00 due to relocation from Dodge Field; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$2,500.00 for this purpose which funds are available from 2009 Recreation Department budget; and

WHEREAS, the Borough Council has determined it is appropriate to increase funding to Madison Football in the amount of \$2,500.00 due to relocation from Dodge Field.

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 funding to Madison Football is hereby increased in the amount of \$2,500.00 due to relocation from Dodge Field.

R 234-2009 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING REFUND OF NON-RESIDENTIAL DEVELOPMENT FEE

WHEREAS, 8 Elmer, LLC has requested a refund of a non-residential development fee of \$1,175.70 which was paid to the Borough of Madison, pursuant to the New Jersey Economic Stimulus Act of 2009; and

WHEREAS, the Borough Administrator has recommended that the Borough issue a refund of \$1,175.70 to 8 Elmer, LLC; and

WHEREAS, the Borough Council has determined it is appropriate to authorize a refund to 8 Elmer, LLC.

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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 a refund of the non-residential development fee in the amount of \$1,175.70 to 8 Elmer, LLC is hereby authorized pursuant to the New Jersey Economic Stimulus Act of 2009.

R 235-2009 RESOLUTION OF THE BOROUGH OF MADISON RESCINDING RESOLUTION 225-2009 AND AMENDING RESOLUTION 235-2008 INCREASING AMOUNT OF CONTRACT WITH OMLAND ENGINEERING ASSOCIATES BY \$13,650.00 FOR A TOTAL CONTRACT AMOUNT OF \$61,950.00

WHEREAS, Resolution 235-2008 awarded a professional services contract to Omland Engineering Associates of Cedar Knolls, New Jersey in an amount not to exceed \$48,300.00, for construction inspection and observation services for the 2008 Road Improvement Program; and

WHEREAS, the Borough Engineer has recommended that the Borough amend Resolution 235-2008 to increase the award amount by \$13,650.00 to \$61,950.00 for additional inspection services; and

WHEREAS, the Director of Finance has attested that funds will be available in an amount not to exceed \$61,950.00 for this purpose, which funds were appropriated by Ordinance 47-2008; and

WHEREAS, due to clerical error, Resolution 225-2009 was passed authorizing a contract award of \$61,950.00 instead of amending the previous award; and

WHEREAS, the Purchasing/Personnel Officer has recommended that Resolution 225-2009 be rescinded, and that Resolution 235-2008 be amended to reflect the increased contract award amount; and

WHEREAS, the Mayor and Council have determined that Resolution 225-2009 be rescinded, and that Resolution 235-2008 be amended to reflect the increased contract award amount.

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 225-2009 is hereby rescinded.
2. Resolution 235-2008 is amended to increase the contract award amount by \$13,650.00 to \$61,950.00 for additional inspection services.
3. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, an amended professional services contract with Omland Engineering

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Associates for construction inspection and observation services for the 2008 Road Improvement Program in a total amount not to exceed \$61,950.00, such contract to be in a form approved by 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 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.**

Since no 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 | \$37,067.39 |
| Health & Public Assistance | 15,018.40 |
| Public Works & Engineering | 213,220.12 |
| Community Affairs | 6,545.97 |
| Finance & Borough Clerk | 953,858.01 |
| Utilities | <u>1,220,173.71</u> |
| Total | <u>\$2,445,883.60</u> |

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

Yeas: Ms. Baillie, Mr. Elias, Mr. Conley
Mrs. Tsukamoto, Dr. Esposito, Mrs. Vitale
Nays: None

NEW BUSINESS - None

ADJOURN AND RECONVENE EXECUTIVE SESSION

There being no further business to come before the Council, the meeting was adjourned at 9:30 p.m. and the Executive Session immediately reconvened.

RECONVENE AND ADJOURN

The Regular Meeting reconvened at 10:30 p.m. and immediately adjourned.

Respectfully submitted,

Elizabeth Osborne
Acting Borough Clerk
Approved September 28, 2009 (EO)