

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

September 26, 2011 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 26th day of September 2011. Mayor Holden called the meeting to order at 7 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 6, 2011. 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:

Robert H. Conley
Jeannie Tsukamoto
Vincent A. Esposito
Sebastian J. Cerciello
Donald R. Links
Robert G. Catalanello

Also Present:

Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Borough Administrator
Elizabeth Osborne, Borough Clerk
Joseph Mezzacca, Jr., Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Dr. Esposito moved:

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

MINUTES FOR APPROVAL (1)

September 12, 2011

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

PERSONNEL MATTERS (2)

EXECUTIVE ASSISTANT

POTENTIAL LITIGATION

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

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CONTRACT MATTERS (4)
ORCHARD STREET
EDISON ELECTRIC INSTITUTE (EEI)
VERIZON WIRELESS
ADULT SCHOOL OF THE CHATHAMS, MADISON AND FLORHAM PARK
Date of public disclosure 60 days after conclusion, if disclosure required.

Seconded: Mr. Conley
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Holden reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of August 22, 2011**. Mr. Conley seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello
Nays: None

Mrs. Tsukamoto moved approval of the **Executive Minutes of September 12, 2011**. Mr. Conley seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello
Nays: None

Mrs. Tsukamoto moved approval of the **Regular Meeting Minutes of September 12, 2011**. Mr. Conley seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello
Nays: None

GREETINGS TO PUBLIC

Mayor Holden announced and read the following proclamation:

Proclaiming October 2011 as National Breast Cancer Awareness Month

WHEREAS, the Borough of Madison values the health of all of its citizens; and

WHEREAS, the Borough of Madison supports awareness of certain diseases, such as Breast Cancer, which affects the lives of its citizens; and

WHEREAS, October is National Breast Cancer Awareness Month; and

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WHEREAS, the *TIE A RIBBON*TM campaign, sponsored by Susan G. Komen for the Cure® North Jersey Affiliate and the *TIE ONE ON* campaign, promote such awareness as well as remembrance for those who have been touched by this disease; and

WHEREAS, the goal of these campaigns is to raise awareness and reach the citizens of Madison; and

WHEREAS, the Borough of Madison, will proudly join in the *TIE A RIBBON*TM and *TIE ONE ON* campaigns in the downtown business district;

NOW, THEREFORE, I, Mary-Anna Holden, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim that *October is National Breast Cancer Awareness Month* to be marked by tying pink ribbons and illuminating the trees with pink lights in the downtown business district for the period of October 1, 2011 through October 31, 2011 for the *2011 TIE A RIBBON*TM and *TIE ONE ON* campaigns.

Mary-Anna Holden, Mayor
September 26, 2011

Mayor Holden announced that this Saturday, October 1st is Bottle Hill Day and noted that the Red Cross will hold a blood drive at Grace Episcopal Church. Also a final wrap up of the food donation drive will conclude on October 1st, asking that donations be delivered to the Green Avenue side of the Hartley Dodge Memorial building.

REPORTS OF COMMITTEES

Finance and Borough Clerk

Mr. Conley, Chair of the Committee, made the following comments:
In anticipation of the November 8th General Election, the Borough Clerk's Office will be open for Late Night Voter Registration until 8 p.m. on Tuesday October 18th. Registration forms, as well as Mail in Ballot applications, are available in the Clerk's office and on line at morriselections.org Mr. Conley also noted that Lt. Governor Kim Guadagno signed a new law that moves the Presidential Primary from February back to the June primary election.

Public Safety

Mrs. Tsukamoto, Chair of the Committee, made the following comments:
Mrs. Tsukamoto thanked volunteer members of the Madison Fire Department for contributing over 250 hours this month. Mrs. Tsukamoto read a statement in response to a press release regarding the Madison Public Library published in last week's *Madison Eagle* and *MadisonPatch.com*. Mrs. Tsukamoto stated that providing unconditional support for the Madison Public Library is fiscally irresponsible. Mrs. Tsukamoto noted that the governing body will continue to support the library, and stated that last year the library was provided twenty percent over the statutory minimum required. This year's funding is 11% of the total municipal taxes. The five year capital request from the Library for 2011 to 2015 is \$816,500, which does not include major overall asbestos abatement. Mrs. Tsukamoto stated that the Borough can not longer afford to support the library above the required "mil rate". Mrs. Tsukamoto provided several recommendations including continuing to fund the library with funds required by State statute and asked that the Library Board provide the governing body with a business plan based on these funds before year end. Mrs. Tsukamoto also recommended forming a

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group of a few members from both the Library Board and the Borough Council to find ways the library can better serve the community. Mrs. Tsukamoto recommended this group look at the long term vision and mission of the library, a realistic plan for the facility and opportunities for shared services with other communities, as well as reevaluating technology in the library building. Mrs. Tsukamoto asked that Mr. Conley issue an apology regarding town hall meetings.

Utilities

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

Dr. Esposito explained Resolution R 219-2011, listed on the agenda authorizes execution of Edison Electric Institute contracts with various whole sale suppliers, in an effort to purchase future electricity for use after current contracts expire and to reducing risk. Dr. Esposito also noted that the Electric Utility Study Committee met to discuss better, more efficient utilities and more transparency, part of which includes new billing statements.

Public Works and Engineering

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

Mr. Cerciello began to discuss information regarding a borough employee and was advised again that Council can not discuss personnel issues at public meetings. Mr. Cerciello inquired about gas lines and retaining walls at the Madison Recreation Center. Mayor Holden noted project construction meetings each Tuesday regarding the artificial turf fields. Mr. Burnet update Council on utilities for the MRC project. Mr. Cerciello noted his support of a request by the Public Library for funds for asbestos abatement. Mr. Cerciello also noted that library tax information is now listed on quarterly property tax bills.

Health & Public Assistance

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

Mr. Links announced a presentation later in the meeting regarding the Health Department and noted that Council is looking for a plan from the Library Board of Trustees regarding future expense for the public library. Mr. Links expressed Council support for the Library.

Community Affairs

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

The last farmers' market will be held this Thursday, September 29th and thanked all volunteers for their efforts. Bottle Hill Day will once again be held Saturday, October 1st, with expanded live music, free rock climbing, free food and over 200 exhibitors. The last free concert of the season will be held Friday evening September 30th in front of the Museum of Early Trades & Crafts. Mr. Catalanello also noted that the 39 Acres Passive Recreation Committee will operate a booth on Bottle Hill Day in order to sign up residents interested in space at a community garden. Sixty plots are tentatively planned for the 2012 growing season. Those interested in reserving a space should contact halfmoonhouse@mac.com.

COMMUNICATIONS AND PETITIONS- none

INVITATION FOR DISCUSSION (1 of 2)

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

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provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Dave Carver, Belleau Avenue, spoke in support of the Madison Health Department.

AGENDA DISCUSSIONS

09/26/2011-1 BOARD OF HEALTH 2012 BUSINESS PLAN
Madison Health Officer James Norgalis offered a power point presentation giving a brief overview and future business plan for the Madison Health Department. Mr. Norgalis explained several services provided and where the Health Department wants to go in the next few years. Mr. Norgalis stated that the purpose of the Department is to prevent, promote and protect the public health. Mr. Norgalis listed many services provided such as Administration: Oversight, planning, evaluation, emergency management. Health Education: Healthy Bones, Rose City Steppers, Senior Wellness, MAASA, Public Health Nursing: Disease Investigation, Immunizations, Health Consultation, Clinics, Environmental Health: Inspections of restaurants and pools, nuisance enforcement, property maintenance and Licensing/Registrar: Business licensing, vital statistics, dog/cat licensing. A future business plan includes contracting with Chatham Borough for Environmental Health Services, increasing fees for retail food licenses and health services and the transfer property maintenance activities to another department. Mr. Norgalis noted that he would like to focus more on public health.

09/26/2011-2 FEES FOR NON-CONSTRUCTION BID DOCUMENTS
Mr. Codey provided explanation of a proposed ordinance to amend the Borough code to include fees for non construction bid documents. There was no objection to listing the ordinance for introduction.

Ordinance 30-2011 is listed for introduction.

ADVERTISED HEARINGS

The Clerk made the following statement:

Ordinance 27-2011 was introduced by title, passed on first reading at a regular meeting of the Council held on August 22, 2011 and carried from the Council meeting of September 12, 2011. Ordinance 29 -2011 scheduled for hearing was introduced by title and passed on first reading at a regular meeting of the Council held on September 12, 2011; posted and filed according to law, and copies were made available to the general public requesting same.

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

ORDINANCE 27-2011 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR ABATEMENT PROJECT AT THE MADISON PUBLIC LIBRARY
TECHNICAL SERVICES DEPARTMENT

WHEREAS, the Borough Administrator has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund for the abatement project at the Madison Free Public Library Technical Services Department; 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 \$30,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund for the abatement project at the Madison Free Public Library Technical Services Department; 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 \$30,000.00 is hereby appropriated from the General Capital Improvement Fund for the abatement project at the Madison Free Public Library Technical Services Department.

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 27-2011.

Tim Harrington, Cross Gates Road, inquired if Council knew what future costs will likely be to repair the public library.

Mr. Burnet provided a financial summary of Library funding noting that since 2003, the Borough has provided over \$12,700,000 in support to the Library and that the Borough has also provided over \$1.6 million to repair and improve the Library facility.

Library Director Nancy Adamczyk commented that the technical services area was abated in March. Mrs. Adamczyk noted much discussion on financial issues and noted concerns from the public. She feels that the true picture of the public library is being lost. Mrs. Adamczyk noted that the library belongs to the residents of Madison, voting in 1958 to establish a public library. The facility is an important part of the community. On behalf of resident and Trustees of the Library, Mrs. Adamczyk asked for the council's support of the request for funding for asbestos abatement in order to keep the present building safe. Mrs. Adamczyk stated that she is very proud to serve the residents of Madison and noted that the 1/3 mil rate is the minimum amount a municipality is required to fund.

Mayor Holden noted that libraries are evolving and that everyone involved must not close their minds to what could be. Mayor Holden stated that we need a long range view that must move forward. Mayor Holden would like to look at the long range plan with employees, Trustees, Council, Friends of the Library and endowment fund members and as well as diverse members of the community. Perhaps a partnering with new technologies. Mayor Holden would like to refocus with a new vision, including a ten year capitol fundraising plan to continue to grow the Library endowment. Mayor Holden encouraged Council member to vote for the ordinance listed for approval this evening and continue discussion of the future of the public

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library including underserved members of the community to make the Library a better place.

Pat Tagg, Stonegate Court, Chair of the Friends of the Madison Public Library, happy to hear Mrs. Tsukamoto's recommendation to work together with Library personnel on a future business plan for the Library. Mrs. Tagg noted her support in working with a committee.

Maureen Byrne, Albright Circle, noted that the Community House project to replace their facility, with funds raise from the community and pledged full support with fundraising.

Tim Harrington, Cross Gates Road, noted that he is pleased with the support of the Council for the ordinance listed for approval this evening and noted that it is important that all information be disclosed so that Council can make informed decisions.

Frank Benedict, Green Hill Road, stated that the excellence of a municipality is the quality of the Library and the trash collection. Mr. Benedict noted his support of the library and is disturbed by the negative treatment of the public library by the Borough Council; Mr. Benedict stated that the library is a community treasure.

Since no additional member of the public wished to be heard, the public hearing was closed.

Mr. Links moved that Ordinance 27-2011, which the Clerk read by title, be finally adopted. Mr. Conley seconded the motion.

Mr. Links noted his attendance at Library Board of Trustee meetings over the last three years and takes exception to comments that the Borough Council is not in favor of the Library. Mr. Links stated that the Council's question is not the request for \$30,000 for asbestos abatement, but a long term plan on what needs to be repaired at the library facility. Mr. Links stated that it is the obligation of the Council to ask questions, and hopes to continue to work with the Library Board Trustees.

Mrs. Tsukamoto noted her commitment to form a group for the Library strategic planning. Mrs. Tsukamoto stated that she will work with Trustee and former Mayor Gary Ruckleshaus and Library Director Nancy Adamczyk and come back to the Council with a plan at the next meeting.

Mayor Holden stated that she would rather like to see a large group, not unlike the 39 Acre Passive Recreation Committee to get a new fresh look at the opportunities for the Library. Mayor Holden urged continued discussion.

Mr. Catalanello noted his comment made at the previous meeting regarding replacing the public library facility which appeared in a letter to the Editor of the *Madison Eagle*. Mr. Catalanello stated that asking the questions for a plan for the library facility is fiscally prudent in protecting the safety of the residents and employees at the same time protecting the fiscal strength of the municipality.

Mr. Conley stated that he will not use the forum of a Council meeting to address comments made by his political opponents. Mr. Conley noted that the Library is one of the few organizations that serves all residents of Madison and is greatly appreciated. Mr. Conley stated that appropriation for the asbestos abatement is an

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important investment in the library and shows a partnership. Mr. Conley agrees that a strategic plan is needed to move forward and that the Library Board has indicated that they understand the constraints of future municipal budgets. Mr. Conley noted his great respect for the Library Board and feels confident that the Board will come back to the Council with a Plan.

Dr. Esposito stated that no one on the Borough Council is against the Public Library and that the Council is looking closely at all departments to continue to reduce costs. Dr. Esposito stated that all members of the community use the library and that forming a group to look at a strategic plan is a good idea in moving forward including asset management.

Mrs. Tsukamoto asked if there are any Library open ordinances with remaining funds.

Mr. Catalanello noted that when Council members suggest groups find alternative sources of funding, it does not mean that they do not support these groups. The Council is under tight budget constraints.

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

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

Mayor Holden declared Ordinance 27-2011 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

ORDINANCE 28-2011 – adopted September 12, 2011

ORDINANCE 29-2011 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$67,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR PURCHASE OF RADIO EQUIPMENT

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$67,000.00 from the General Capital Improvement Fund for purchase of new radio equipment to be installed on existing Borough owned Rosenet fiber; 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 \$67,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$67,000.00 from the General Capital Improvement Fund for purchase of new radio equipment to be installed on existing Borough owned Rosenet fiber; 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:

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SECTION 1: The amount of \$67,000.00 is hereby appropriated from the General Capital Improvement Fund for purchase of new radio equipment to be installed on existing Borough owned Rosenet fiber.

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 29-2011. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Tsukamoto moved that Ordinance 29-2011, which the Clerk read by title, be finally adopted. Mr. Cerciello seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

Mayor Holden declared Ordinance 29-2011 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

INVITATION FOR DISCUSSION (2 of 2)

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

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

Tim Harrington, Cross Gates Road, asked that the Health Department presentation be made available on the Borough website and noted that Borough financial information is now more easily located on the website. Mr. Harrington stated that the financial statements of the Madison Public Library are inadequate and asked that the Library provide better information.

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of October 12, 2011 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

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ORDINANCE 30-2011 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 147 OF THE BOROUGH CODE ENTITLED “PUBLIC
RECORDS AND DOCUMENTS, FEES FOR” TO INCLUDE FEES FOR NON-
CONSTRUCTION BID DOCUMENTS

WHEREAS, the Purchasing/Personnel Officer has recommended that the Borough Code be amended to reflect a fee of \$25.00 for non-construction bid documents to recover costs to the Borough in producing bid documents; and

WHEREAS, the Borough Council has determined to amend Chapter 147 of the Borough Code in accordance 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 that Chapter 147 of the Borough Code Entitled “Public Records And Documents, Fees For” is amended to include the following:

SECTION 1: Section 147-5. Fees for Bid Documents

....

D. For non-construction bid documents: fee of \$25.

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

Mr. Conley moved that Ordinance 30-2011, which the Borough Clerk read by title, be adopted. Mrs. Tsukamoto seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

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.

Dr. Esposito moved adoption of the Resolutions R 216-2011, R 217-2011, R 220-2011 and R 221-2011 listed on the Consent Agenda. Mr. Conley seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

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R 216-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AMENDMENT TO THE 2011 GREEN ACRES PROJECT AGREEMENT

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Madison has previously obtained a grant of \$1,600,000.00 from the State to fund the following project(s): Open Space Land Acquisition #1417-04-009; and

WHEREAS, the State and the Borough of Madison intend to increase Green Acres funding; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY THE MADISON BOROUGH COUNCIL

1. That Mary-Anna Holden or the successor to the office of Mayor is hereby authorized to execute an Amendment to the Agreement increasing funding by \$450,000.00, and;
2. That the applicant has its matching share for this additional funding, if a match is required, in the amount of \$450,000.00.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

R 217-2011 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TRANSFER OF 2011 LIVERY OWNER’S LICENSES FOR PRECISE LIMOUSINE TRANSPORT

WHEREAS, any license issued for any taxicab or livery may be transferred to a substitute vehicle in accordance with the provisions of Chapter 173-7 of the Borough of Madison Code after approval of the Council and upon the payment to the Borough of a transfer fee of \$10.00 for each vehicle for which the license is to be transferred; and

WHEREAS, prior to the approval or disapproval by the Council of the transfer of the license to permit the operation of such substituted vehicle, the owner may operate such substituted vehicle or cause the same to be operated, subject to the other provisions of Chapter 173-7; and

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WHEREAS, Precise Limousine Transport has made application to transfer Livery Owner's Licenses No. 15 to a substitute vehicle and, at the same time, has provided proof of insurance and paid the appropriate transfer fees;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, to approve the two license transfer requests from Precise Limousine Transport.

R 218-2011 Item removed and the # retired

R 220-2011 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY MADISON EDUCATION FOUNDATION, THURSDAY MORNING CLUB AND HARDING TOWNSHIP EDUCATION FOUNDATION

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

MADISON EDUCATION FOUNDATION

I.D. No. 274-5-36429
R.A. No. 1215 – On Premise
December 3, 2011

THURSDAY MORNING CLUB

I.D. No. 274-8-12803
R.A. No. 1216 – On Premise
R.A. No. 1217 – On Premise
November 11 & 12, 2011

HARDING TOWNSHIP EDUCATION FOUNDATION

I.D. No. 194-5-39167
R.A. No. 1218 – On Premise
November 5, 2011

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Legalized Games of Chance Control Commission.

R 221-2011 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON COOPERATIVE NURSERY SCHOOL, INC.

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

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MADISON COOPERATIVE NURSERY SCHOOL, INC.

I.D. No. 274-5-27821

R.A. No. 1219 – On Premise

OCTOBER 28, 2011

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Legalized Games of Chance Control Commission.

Mr. Mezzacca read Resolution R 219-2011 in full, as amended.

Dr. Esposito moved adoption of the Resolutions R 219-2011. Mr. Conley seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

R 219-2011 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EDISON ELECTRIC (EEI) MASTER CONTRACTS BETWEEN BOROUGH OF MADISON AND VARIOUS WHOLESALE ENERGY SUPPLIERS

WHEREAS, the Assistant Borough Administrator has recommended that the Council authorize execution of various Edison Electric Institute (EEI) Master Contracts with wholesale energy suppliers; and

WHEREAS, a Master Contract provides the following benefits: streamlines establishing a trading relationship, provides real-time credit provisions, standardizes product definitions, and focuses traders on the transaction's basic negotiable elements, e.g., price, quantity, location and duration; and

WHEREAS, all contracts are prepared and reviewed by the law firm of Betts & Holt, LLP, from Washington, D.C., and reviewed by the Borough Administrator.

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 Borough Administrator is authorized to execute various EEI Master Contracts that have been prepared and approved by Jill Barker, Esq., of Betts & Holt, LLP, special counsel to the Borough of Madison; and

BE IT FURTHER RESOLVED that the following Borough Officials are hereby authorized to execute trades on behalf of the Borough of Madison:

AND MAYOR
AND BOROUGH ADMINISTRATOR
AND ASSISTANT BOROUGH ADMINISTRATOR
AND CHIEF FINANCIAL OFFICER

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UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Dr. Esposito seconded by Mr. Conley 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	\$9,629.42
Health & Public Assistance	12,790.32
Public Works & Engineering	131,647.72
Community Affairs	1,148.24
Finance & Borough Clerk	68,055.46
Utilities	<u>1,494,794.70</u>
Total	<u>\$1,718,065.86</u>

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

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

NEW BUSINESS

Mayor Holden announced the following appointment and requests Council confirmation:

LIBRARY BOARD TRUSTEE

Samuel DeMarzo, 93 Ridgedale Avenue, unexpired five-year term through December 31, 2015

Mr. Conley moved confirmation of the foregoing appointment. Mrs. Tsukamoto seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Conley, Mrs. Tsukamoto, Dr. Esposito,
Mr. Cerciello, Mr. Links. Mr. Catalanello

Nays: None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:36 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved October 12, 2011 (EO)