

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

January 14, 2019 - 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 January, 2019. Mayor Conley called the meeting to order at 7:00 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 10, 2019. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale
Astri J. Baillie
Patrick W. Rowe
Maureen Byrne
John F. Hoover
Debra J. Coen

Also Present:

Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Borough Administrator
Elizabeth Osborne, Borough Clerk
John Napolitano, Esq. for Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mrs. Vitale moved:

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

MINUTES FOR APPROVAL (1)

December 10, 2018

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

CONTRACT MATTERS (5)

MADISON ELECTRIC STORAGE BUILDING
AFFORDABLE HOUSING TRUST FUND AND UPDATE
TEAMSTERS UNION NO. 469

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ELECTRIC POWER PURCHASE
JACOB HENRY PERKINS FUND

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

PERSONNEL MATTERS (1)
FINANCE DEPARTMENT

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

Seconded: Ms. Baillie
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all. Mayor Conley asked for a moment of silence for recently deceased resident Eugene Zipper.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of December 10, 2019**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz,
Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of December 10, 2019**. Ms. Byrne seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

A recent article by HomeSnacks has placed Madison as the #1 best place to raise a family in New Jersey for 2019. Mayor Conley thanked the Toto Family and the staff of the Electric and Public Works Departments for their efforts this holiday season. The Borough of Chatham, Township of Chatham and Borough of Madison will hold a Board and Committee Leadership workshop on Thursday, January 31st at the Chatham Borough Hall, Fairmont Avenue, Chatham. Mayor Conley noted he will be appointing a task force to ensure all Boards and Committees have structure to make them successful under New Business later this evening. Due to the federal government shutdown, the Borough will be providing assistance to unpaid federal workers in the form of interest free loans from the Jacob Henry Perkins Trust fund. Federal employees interested in more information are encouraged contact the Borough Administrator.

EMPLOYEE OF THE MONTH FOR JANUARY:

The Employee of the Month for January is Chrissy Mahler of the Tax Collector's Office for her commitment and hard work managing and calculating PILOT payments.

ANNIVERSARIES FOR THE MONTH OF JANUARY:

Tom DeBiasse of the Department of Public Works – 40 Years on January 22, 2019
Frank Davis of the Department of Public Works – 35 Years on January 3, 2019.

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Mayor Conley present a silver box and flowers to Outgoing Board of Education President Lisa Ellis for her Distinguished Service to the Borough.

REPORTS OF COMMITTEES

Public Safety

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

In December the Fire Department responded to eighteen General Alarms, seventeen Still Alarms, twenty-five Investigations, fifty-two EMS calls, for a total of 112 incidents. Forty Fire Prevention Inspections were completed and five re-sale Smoke/Co Inspections were conducted. On December 10th, all interior structural firefighters were issued personal bailout systems purchased with funds from the 2018 capital budget. All took part in training with the new system. The bailout system is a “self-rescue” system that is attached to existing bunker gear. Should a fire situation require a Firefighter to make an emergency exit out of a window, firefighters can now quickly and easily deploy the bailout system to lower themselves to the ground. Volunteer Firefighters are needed. Any resident, between the ages of 18 and 45, in good physical and mental condition, is asked to consider joining as a Volunteer Firefighter.

Finance and Borough Clerk

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

The Finance Department announced the reset of the Edmunds financial software for annual maintenance. The process went very smoothly and the system is back up and running. The payroll staff has rolled over the time management system and updated salaries and accrued time for employees. The Administrator and CFO continue to work on the annual municipal budget. This evening there will be discussion of the budget schedule, open space fund and capital projects. The Tax Collector’s office collected 99.08% of all property taxes. This is the best tax collection rate in ten years. Mrs. Vitale thanked the staff of the Tax Collector’s office.

Utilities

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

The Electric Department took down the tree on Waverly Place, completed sewer pump station upgrades and prepared two bucket trucks for public auction. The Water Department replaced several curbside boxes and worked on shut offs for frozen pipes. They remind residents to remove hoses and shut off outside valves.

Public Works and Engineering

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

Ms. Byrne noted that the Public Works Department completed leaf collection through years’ end, and continues to work on tree removal. The Mechanics Department services all Borough vehicles and equipment.

Community Affairs

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

The Downtown Development Commission wishes to thank the staff of the Electric Department and the Public Works Department for their assistance in removing wreathes and holiday decorations. The DDC will hold an annual reorganization meeting on January 17th. The annual ‘Taste of Madison’ fund raising event will be held on March 18, 2019 and the Madison Chamber of Commerce holiday party will be held this Thursday, at Rocco’s Grill. The annual holiday promotional event “Rose City Reindeer’ was a success. A Senior Citizen Advisory Committee meeting was held January 10th with Mr. Tom Honohan elected as Chairman. On Friday January

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18th Seniors will tour the Madison Fire Station. The Recreation Advisory Committee reports that work at Rosedale is completed and residents should look for the flag to indicate when skating is safe. The Ski Club is underway with a new coordinator attending each weekly trip. The Museum of Early Trades & Crafts is working on developing a strategic plan, including improved drainage near the building.

Health

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

The Board of Health 2019 Reorganization meeting is Tuesday January 15, 2019 at 7:30 p.m. at the Civic Center 28 Walnut Street. Members of the public are welcome to attend. Dog/cat license renewals have been mailed, and residents are reminded that renewals are due by January 31, 2019. Residents who have new pets can go to Rosenet.org for a 2019 license application. Retail Food Establishments have license renewals by January 31, 2019. The Public Health Nurse reports cases of flu are on the rise and are expected to remain elevated over the next few months. Vaccines are still available. Pertussis (whooping cough) illness has recently affected residents of our area. Vaccine for protection against Pertussis is recommended for all residents. For more information call the Health Department.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Petitions received January 14, 2019 with 428 signatures supporting a Madison Dog Park.

INVITATION FOR DISCUSSION (1 of 2)

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

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

AGENDA DISCUSSIONS

01/14/2019-1 PARKING UPDATE

Lisa Ellis, Director of Downtown Development, provide an update on the findings of the Parking Committee including the goal to find more merchant parking, marketing issues and evaluating parking regulations. The committee is looking at raising fines, better use of existing spaces and reconfiguring parking lots.

01/14/2019-2 PROPOSED DOG PARK

Tom Salaki, Chairman of the Parks Advisory Committee, proposed a fenced in, off leash area for dogs at Memorial Park. Mr. Salaki noted that concrete footings would not be used, the community pool is uphill from the proposed area and the parking lot will have signs limiting parking during pool hours. Mr. Hoover made a motion to endorse a proposed dog park at Memorial Park and to move forward with a request for Open Space Trust funds. Mrs. Vitale seconded the motion, which passed with a unanimous voice approval.

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01/14/2019-3 2019 MUNICIPAL BUDGET SCHEDULE/ OPEN SPACE QUARTERLY REPORT

Mr. Burnet discussed the annual budget process and schedule noting tonight's discussion of the Open Space Trust Fund and Capital projects. Utility budgets will be discussed at the January 28th meeting, at the February 11th Council meeting there will be discussion of surplus and Department Heads will present at the February 25th Council meeting. An alternate budget presentation and special hearing date of March 4th was agreed to, with the Introduction of the budget scheduled for March 11th, and a hearing and adoption at the April 22nd Council meeting. Mr. Burnet provided the quarterly Open Space report noting the available balance as of January 1, 2019 of \$761,071.56.

01/14/2019-4 2019 CAPITAL BUDGET OVERVIEW

Robert Vogel, Borough Engineer provided an overview of the 2019 Capital Budget including reconstruction of the second phase of Greenwood Avenue Sayre Court, Ross Court, Vinal Place, Bruns Street and Community Place. Milling and overlay projects scheduled for 2019 include Colonial Way Chateau Thierry, Belleau Woods, Hamilton Street, Chapel Street, Wisteria Court, Crestview Avenue, Laurel Way, Lawrence Road and Lynwood Place. Mayor Conley noted that introduction of appropriation ordinances this evening allows for earlier bidding, better pricing.

Ordinance 1-2019 and 2-2019 are listed for introduction.

ADVERTISED HEARINGS - None

INVITATION FOR DISCUSSION (2 of 2)

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

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

Clare Whitcomb; Fairwood Road, Chair of the Environmental Commission, asked that the Council consider electric charging stations throughout town, noting availability of grant funds to help with cost.

Richard Feldman, Loantaka Way, asked that the Council again consider introducing a tree ordinance to protect Borough trees.

Kathy Daily; West End Avenue, read a letter from Volunteers of Madison's Cub Scouting and Boy Scouting programs, dated August 2018, noting a proposed dog park will impact the annual camping site used by the scouts.

Paul Allocco, Greenwood Avenue, as a member of the Parks Advisory Committee suggested that the scouts look at space at the MRC for their annual camp out.

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 January 28, 2019 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

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to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 1-2019 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$1,068,000.00 FROM THE GENERAL CAPITAL
IMPROVEMENT FUND FOR THE 2019 ROAD RECONSTRUCTION PROJECTS,
RELATED WORK AND MISCELLANEOUS PROJECTS

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$1,068,000.00 from the General Capital Improvement Fund for 2019 Road Reconstruction Projects, including new pavement, traffic calming and pedestrian sidewalk ramp improvements, related work and miscellaneous projects throughout the Borough; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$1,068,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$1,068,000.00 from the General Capital Improvement Fund for the 2019 Road Reconstruction Projects, related work and miscellaneous projects throughout the Borough.

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 \$1,068,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2019 Road Reconstruction Projects, related work and miscellaneous projects throughout the Borough.

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.

Ms. Byrne moved that Ordinance 1-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

ORDINANCE 2-2019 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$880,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR 2019 MILLING AND OVERLAY PROJECTS

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WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$880,000.00 from the General Capital Improvement Fund for 2019 Milling and Overlay projects, including mill, overlay, signage, striping, curb, sidewalk and crack sealing improvements, related work and miscellaneous projects throughout town; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$880,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$880,000.00 from the General Capital Improvement Fund for the 2019 Milling and Overlay projects, signage, striping, curb, sidewalk and crack sealing improvements, related work and miscellaneous projects throughout town.

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 \$880,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2019 Milling and Overlay projects, signage, striping, curb, sidewalk and crack sealing improvements, related work and miscellaneous projects throughout town.

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.

Ms. Byrne moved that Ordinance 2-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

**ORDINANCE 3-2019 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 195-12A OF THE BOROUGH CODE ENTITLED “LAND
USE” REGARDING TEMPORARY SIGN PERMIT TO ESTABLISH FEES**

WHEREAS, the Director of Business Development has recommended amendments to the Borough Code to amend certain fees for temporary sign permits.

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: Chapter 195-12A of the Code of the Borough of Madison, entitled “Fees” is hereby amended as follows to establish certain fees for temporary sign permits:

...

Type of Fee	Fee
Refacing of Previously Approved Signage (Within 36 Months)	\$25.00
Additional Signage to Previously Approved Application (Within 36 Months)	\$25.00
Temporary signage – banner and signs Permit	\$25.00

...

SECTION 2: This ordinance shall take effect immediately and upon final passage and publication as required by law.

Mr. Hoover moved that Ordinance 3-2019, which the Borough Clerk read by title, be adopted. Ms. Coen seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
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.

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

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

R 41-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL APPLICATION FOR A BOWLING ALLEY LICENSE FOR NJ ENTERTAINMENT, LLC TRADING AS STRYXE

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WHEREAS, in compliance with the provisions of Chapter 70 of the Borough Code, application has been made by NJ Entertainment, LLC, trading as Stryxe, for annual bowling alley license; and

WHEREAS, the above applicant has complied with all requirements of the State Law and the above mentioned Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Bowling Alley License be renewed for 2019:

Company Name: NJ Entertainment LLC
Name of Bowling Alley: Stryxe
Location of Bowling Alley: 53 Madison Plaza
306 Main Street, Unit 6
Madison, New Jersey

R 42-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL APPLICATION FOR AMUSEMENT DEVICE LICENSE AND PERMITS FOR YEAR 2019 FOR NJ ENTERTAINMENT, LLC D/B/A STRYXE

WHEREAS, in compliance with the provisions of Chapter 58 of the Borough Code, application for amusement device premise license and twenty-nine (29) amusement device permits has been made by NJ Entertainment LLC t/b/a Stryxe; and

WHEREAS, the above applicant has complied with all requirements of the State Law and above-mentioned Ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Amusement Device Premise License be issued to:

NJ Entertainment LLC d/b/a Stryxe
53 Madison Plaza
306 Main Street, Unit 6
Madison, NJ 07940

BE IT FURTHER RESOLVED, that this License will permit the operation of twenty-nine amusement device machines at the above mentioned location.

R 43-2018 RESOLUTION OF THE BOROUGH OF MADISON RECOGNIZING THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014 TO JUNE 2019

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies

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in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Madison, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Madison Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Madison Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Morris;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Madison, County of Morris, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Madison Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$ <u>12,419.00</u>
Cash Match	\$ <u>3,104.75</u>
In-Kind	\$ <u>9,314.25</u>

The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

R 44-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING COLLECTIVE BARGAINING AGREEMENT WITH THE TEAMSTERS LOCAL UNION NO. 469

WHEREAS, the Borough of Madison (“Borough”) commenced collective negotiations with each of its employee bargaining units; and

WHEREAS, the Borough Administration was able to successfully negotiate a collective bargaining agreement with the Borough of Madison Teamsters Local Union No. 469; and

WHEREAS, the Mayor and Council having considered the specific terms and conditions contained in the collective bargaining agreement for the above-enunciated bargaining unit;

NOW THEREFORE BE IT RESOLVED as follows:

1. The Mayor and Council hereby authorize the Borough Administrator, Raymond M. Codey and Mayor Robert H. Conley to execute the finalized collective bargaining agreement without further action being necessary; and
2. The Mayor and Council authorize Borough Administrator Raymond M. Codey to effectuate the collective bargaining agreement upon execution by all necessary parties to the collective bargaining agreement.

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R 45-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACT FOR MOTOR GASOLINE THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL

WHEREAS, the Borough of Madison desires to enter into a contract for motor gasoline from an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Allied Oil, LLC, of Hillsborough, New Jersey has been awarded Morris County Co-Operative Pricing Council contract #1 Motor Gasoline; and

WHEREAS, the Director of Public Works has recommended that the Borough Council utilize this contract for motor gasoline in an amount not to exceed \$150,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$150,000.00 for this purpose, which funds will be available upon adoption of the 2019 Operating Budget.

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

1. A contract for motor gasoline from Allied Oil, LLC, of Hillsborough, New Jersey, at a total price not to exceed \$150,000.00 is hereby approved under the Morris County Co-Operative Pricing Council contract #1 Motor Gasoline.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Allied Oil, LLC, of Hillsborough, New Jersey, for motor gasoline at a total price not to exceed \$150,000.00, in a form acceptable to the Borough Attorney.

R 46-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACT FOR DIESEL FUEL THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL

WHEREAS, the Borough of Madison desires to enter into a contract for ultra low sulfur diesel fuel from an authorized vendor under the Morris County Co-Operative Pricing Council program; and

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WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Allied Oil, LLC of Hillsborough, New Jersey has been awarded Morris County Co-Operative Pricing Council contract #12 #2 Ultra Low Sulfur Diesel Fuel; and

WHEREAS, the Director of Public Works has recommended that the Borough Council utilize this contract for ultra low sulfur diesel fuel in an amount not to exceed \$60,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$60,000.00 for this purpose, which funds will be available upon adoption of the 2019 Operating Budget.

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

1. A contract for ultra low sulfur diesel fuel from Allied Oil, LLC of Hillsborough, New Jersey, at a total price not to exceed \$60,000.00 is hereby approved under the Morris County Co-Operative Pricing Council contract #12 #2 Ultra Low Sulfur Diesel Fuel.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Allied Oil, LLC of Hillsborough, New Jersey, for ultra low sulfur diesel fuel at a total price not to exceed \$60,000.00, in a form acceptable to the Borough Attorney.

R 47-2018 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE ORDER/CONTRACT FOR SALT TO ATLANTIC SALT OF LOWELL, MA, THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL

WHEREAS, the Borough of Madison desires to ratify an award of a purchase/order contract for salt to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Atlantic Salt of Lowell, MA, has been awarded Morris County Co-Operative Pricing Council Contract # 3 for the purchase of salt; and

WHEREAS, the Director of Public Works has recommended that the Borough Council utilize this contract for the purchase of salt in an amount not to exceed \$120,000.00; and

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WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$120,000.00 for this purpose, which is in the 2019 Public Works Department #300, account 435. This is contingent upon the adoption of the 2019 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract be awarded to Atlantic Salt of Lowell, MA for the purchase of salt at a total price not to exceed \$120,000.00 under the Morris County Co-Operative Pricing Council Contract #3 and same is hereby ratified and approved.

R 48-2018 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE AWARD OF A PURCHASE ORDER/CONTRACT TO TREE KING FOR TREE REMOVAL SERVICES UNDER THE MORRIS COUNTY COOPERATIVE CONTRACT

WHEREAS, the Borough of Madison desires to ratify an award of a purchase/order contract for Tree Removal services to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Tree King, Inc. of Landing, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract Number 18, Tree Removal; and

WHEREAS, the Director of Public Works has recommended that the Borough Council utilize this contract for the purchase of Tree Removal services in an amount not to exceed \$42,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$42,000.00 for this purpose, which are in the 2019 Shade Tree Department Budget #303, account 214. This is contingent upon the adoption of the 2019 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a purchase order/contract be awarded to Tree King, Inc. of Landing, New Jersey for the purchase of Tree Removal services, at a total price not to exceed \$42,000.00 under the Morris County Co-Operative Pricing Council Contract Number 18, Tree Removal and same is hereby ratified and approved.

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R 49-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RENEWAL OF A RENTAL AGREEMENT FOR USE OF A PORTION OF THE PUBLIC SAFETY COMPLEX BY THE AMERICAN AUTOMOBILE ASSOCIATION (AAA) FOR DEFENSIVE DRIVING INSTRUCTION

WHEREAS, the Madison Police Chief has recommended that the Borough Council authorize renewal of the rental agreement for the use of a portion of the Public Safety Complex for use by the American Automobile Association (AAA) for defensive driving instruction ; and

WHEREAS, the Borough Administrator recommends that the Council approve this request.

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 Administrator is hereby authorized to execute an addendum to renew an agreement for the American Automobile Association (AAA) to use a portion of the Public Safety Complex for defensive driving instruction.

R 50-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ALEXANDER FISCH TO THE PART-TIME POSITION OF PLUMBING SUBCODE OFFICIAL/INSPECTOR AND MECHANICAL INSPECTOR

WHEREAS, the QPA/Personnel Director has recommended that Alexander Fisch be appointed to the part time position of Plumbing Subcode Official for the Borough of Madison to work twenty (20) hours per week without health benefits; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that Alexander Fisch is hereby appointed to the position of Plumbing Subcode Official/Inspector effective immediately to be compensated at an hourly rate of \$38.00 per hour, plus similar benefits to those provided the prior part-time Plumbing Subcode Official/Inspector.

R 51-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING REDUCTION OF BONDING POSTED FOR PLANNING BOARD APPLICATION P-15-012 TO MILLENNIUM DEVELOPMENT GROUP, 286 KINGS ROAD

WHEREAS, the Assistant Borough Engineer has recommended that the Bonding for Millennium Development Group in the amount of \$170,197.20 of the Surety Bond, \$18,910.80 of the Cash and \$28,366.20 of the Maintenance Guarantee be released in connection with site improvements completed at 286 Kings Road, Block 5201, Lot 11; and

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WHEREAS, the Assistant Borough Engineer advises that compliance with approved site plans has been completed.

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 Bonding described herein be reduced and released to Millennium Development Group.

R 52-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY P.T.S.O. MADISON HIGH SCHOOL

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

PTSO MADISON HS
I.D. No. 274-5-33795
R.A. No. 1465 – Off premise 50/50
May 10, 2019

R 53-2019 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO MBT CONTRACTING FOR THE MADISON ELECTRIC STORAGE BUILDING PROJECT

WHEREAS, the Borough of Madison publicly advertised for bids for the Madison Electric Storage Building project (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Qualified Purchasing Agent/Personnel Director and the Borough Attorney have determined that the apparent lowest bid submitted by Louis Gargiulo Company, Inc. contained a material defect; and

WHEREAS, the lowest responsible bid was submitted by MBT Contracting, LLC, of Lincoln Park, New Jersey in the amount of \$336,450.00.00; and

WHEREAS, the QPA/Personnel Director and Borough Attorney have recommended that the Borough Council award the contract to MBT Contracting, of Lincoln Park, New Jersey in the amount of \$336,450.00.00; and

WHEREAS, the Chief Financial Officer has attested that \$336,450.00.00 is available in Ordinance 30-2015 and Ordinance 37-2018.

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

1. The contract for the project Madison Electric Storage Building is hereby awarded to MBT Contracting, of Lincoln Park, New Jersey based upon its bid in the amount of \$336,450.00.00.

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2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with MBT Contracting, of Lincoln Park, New Jersey, in a form acceptable to the Borough Attorney.

R 54-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RELEASE OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUND IN THE AMOUNT OF \$38,691.21

WHEREAS, the Borough Council by Resolution 89-2018 previously authorized the disbursement of up to \$200,000.00 to the Madison Housing Authority (MHA) and/or Madison Affordable Housing Corporation (MAHC) for the renovation of affordable rental housing at 30 Central Avenue; and

WHEREAS, the Executive Director of the MHA has requested up to \$70,000.00 in additional funds from the AHTF for additional costs and fees incurred in the renovation of 30 Central Avenue; and

WHEREAS, the Affordable Housing Administrator/Municipal Housing Liaison has advised the Borough that the funds from the Affordable Housing Trust Fund will be used in accordance with prior rules and regulations promulgated by the Council on Affordable Housing (COAH) for the development of affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, the release of up to \$70,000.00 for the 30 Central Avenue renovation from the Affordable Housing Trust Fund for the purposes requested herein, to be used in accordance with the rules and regulations previously promulgated by COAH in accordance with the approved spending plan for the development of affordable housing is hereby authorized.

R 55-2019 ITEM REMOVED AND THE # RETIRED

R 56-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF MATT GRONERT TO THE INTERN POSITION IN THE BUSINESS DEVELOPMENT OFFICE AND PUBLIC WORKS DEPARTMENT

WHEREAS, the CFO/Borough Administrator has recommended appointment of Matt Gronert to the position of Intern in the Business Development Office and Public Works Department; and

WHEREAS, the Borough Council agrees with these recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Matt Gronert is hereby appointed to the position of Intern in the Business Development Office and Public Works Department effective immediately at the rate of pay of \$12.00 per hour.

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R 57-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CHANGE ORDER AND FINAL PAYMENT TO DIVERSIFIED INFRASTRUCTURE SERVICES, INC. FOR THE 2018 SANITARY SEWER CLEANING, TELEVISIONING AND REPAIR

WHEREAS, Resolution 182-2018 awarded a contract to Diversified Infrastructure Services, Inc., of Watertown, Connecticut, in an amount not to exceed \$206,200.00 for the 2018 Sanitary Sewer Cleaning, Televisioning and Repair project; and

WHEREAS, the Borough Engineer has recommended that the Borough Council amend Resolution 182-2018 to increase the award amount to \$225,995.07 for additional video contract deliverables; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an additional amount not to exceed \$225,995.07, which funds are available in Ordinance 19-2016.

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 182-2018 is amended to increase the contract award amount by an additional \$19,795.07 to \$225,995.07.
2. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, an amended purchase order and contract with Diversified Infrastructure Services, Inc., of Watertown, Connecticut, for the 2018 Sanitary Sewer Cleaning, Televisioning and Repair project at a total price not to exceed \$225,995.07, in a form acceptable to the Borough Attorney.

R 58-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY ST.VINCENT MARTYR CHURCH

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

ST. VINCENT MARTYR CHURCH
I.D. No. 274-1-812
R.A. No. 1466 – On Premise Merchandise
R.A. No. 1467 – On Premise Merchandise
R.A. No. 1468 – Off Premise Merchandise
R.A. No. 1469 – Off Premise Merchandise
R.A. No. 1470 – Casino Night
Date of Raffles: March 23, 2019

R 59-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING CHRISTINE MAHLER TO THE POSITION OF TAX COLLECTOR

WHEREAS, the CFO/Assistant Borough Administrator has recommended that Christine Mahler be appointed to the position of Borough Tax Collector, effective January 15, 2019; and

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WHEREAS, Christine Mahler holds a valid Tax Collector Certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that Christine Mahler is hereby appointed to the position of Tax Collector effective January 15, 2019, at an annual salary of \$65,442.00.

R 60-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RELEASE OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUND

WHEREAS, the Executive Director of the MHA has requested up to \$40,000.00 from the AHTF for architectural fees to prepare design plans for additional affordable housing units at existing MHA/MAHC developments; and

WHEREAS, the Affordable Housing Administrator/Municipal Housing Liaison has advised the Borough that the funds from the Affordable Housing Trust Fund will be used in accordance with prior rules and regulations promulgated by the Council on Affordable Housing (COAH) for the development of affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, the release of up to \$40,000.00 for architectural design fees for additional scattered site housing from the Affordable Housing Trust Fund for the purposes requested herein, to be used in accordance with the rules and regulations previously promulgated by COAH in accordance with the approved spending plan for the development of affordable housing is hereby authorized.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Rowe, 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.

Current Fund	\$4,964,941.78
General Capital Fund	162,556.45
Electric Operating Fund	726,025.92
Electric Capital Fund	19,369.58
Water Operating Fund	34,735.19
Water Capital Fund	12,651.46
Trusts	<u>157,943.49</u>
Total	<u>\$6,78,223.87</u>

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

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

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NEW BUSINESS

Mayor Conley announced the creation of a new task force to review Borough Boards and Committee, nominating Ben Wolkowitz has Chairman, Carmela Vitale, Patrick Rowe and Debra Coen as committee members and asked for Council Confirmation.

Mr. Rowe moved approval of the forgoing appointment. Ms. Baillie seconded the motion, which passed with a unanimous voice vote.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:13 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved January 28, 2019 (EO)