

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

**January 23, 2017 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 23rd day of January, 2017. 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 5, 2017. 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

Benjamin Wolkowitz

Patrick W. Rowe

Maureen Byrne

Absent: Robert Landrigan, excused

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

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)

November 14, 2016

November 28, 2016

January 9, 2017

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

CONTRACT MATTERS (3)

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MADISON CHATHAM JOINT MEETING  
ELECTRIC POWER PURCHASE  
ELECTRIC INFRASTRUCTURE IMPROVEMENTS

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

PERSONNEL MATTERS (1)  
DIRECTOR OF PUBLIC WORKS

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

LITIGATION MATTERS (2)  
TAX APPEALS

AFFORDABLE HOUSING

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

Seconded: Mr. Rowe

Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

Mayor Conley reconvened the Regular Meeting at 8:07 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

**APPROVAL OF MINUTES**

Ms. Baillie moved approval of the **Executive Minutes of November 14, 2016, November 28, 2016 and January 9, 2017**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Landrigan

Ms. Baillie moved approval of the **Reorganization Minutes of January 2, 2017**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Landrigan

Ms. Baillie moved approval of the **Regular Meeting Minutes of November 14, 2016, November 28, 2016 and January 9, 2017**. Mr. Wolkowitz seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Landrigan

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

A special budget hearing has been added to the Council meeting schedule for February 6<sup>th</sup> at 7:00 p.m.

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### **REPORTS OF COMMITTEES**

#### **Public Works and Engineering**

Mrs. Vitale, Chair of the Committee, made the following comments:  
The Public Works Department has begun the transition from Interim Superintendent of Public Works to Director Ken O'Brien. A meet and greet with foremen was held on January 20, 2017. The Public Works staff had two weather related call outs and two emergency utility markouts. The Public Works staff is using new the Hot Box for pothole repairs on Borough streets. The Sewer Department installed all remaining water quality inlet heads on roads scheduled for milling and overlay in 2017. New manhole castings/lids have been ordered for those roads as well. The Engineering Department reports plans to submit a follow up construction grant application for Hartley Dodge Memorial to the Morris Historic Preservation Trust on or before March 31<sup>st</sup>. Bids for soil removal and site remediation at the rear of Hartley Dodge Memorial Building are due tomorrow. The 2017 Road Reconstruction work will be advertised later this week with the date to receive bids set on March 16, 2017. The contract work required to secure vendors for mill and overlay work will also be initiated this week. NJDOT Municipal Aid grant applications for Greenwood Ave and miscellaneous Bike route improvements will be submitted on or before February 3<sup>rd</sup>. Proposals have been requested of vendors through the Middlesex County Cooperative Bid system for purchase and installation of a set of bleachers and a new press box at the Madison Recreation Complex fields. Estimates on scope, cost and schedule are anticipated within several weeks. The Layne Company will be installing constant water level sensors at Well D while performing redevelopment work. The new sensors will record continuous water levels in the SCADA system, which will assist daily operations as well as capacity and recharge estimates in the future. Videotaping of the well casing is scheduled later this week.

#### **Public Safety**

Mr. Landrigan, Chair of the Committee, absent.

#### **Finance and Borough Clerk**

Ms. Baillie, Chair of the Committee, made the following comments:  
Quarterly tax bills are due February 1<sup>st</sup>. The Open Space, Recreation and Historic Preservation annual budget will be presented later this evening and is available on the Borough website. A presentation on purchasing process and internal controls is also listed on tonight's agenda.

#### **Utilities**

Mr. Wolkowitz, Chair of the Committee, made the following comments:  
A large tree came down this afternoon on Greenwood Avenue damaging several utility poles, transformers and cable. Crews are currently working to replace and repair all damaged equipment and restore power to residents in the area. The Electric Department also began riser pole construction and cable terminations for the KRE development and installed 75 KVA transformers and built secondary riser to new housing units on Elm Street. In 2016, the Electric Utility Rebate program received 378 applications for a total of \$56,700 in rebate funds.

#### **Health**

Mr. Rowe, Chair of the Committee, made the following comments:  
The 2017 Retail Food Establishment and pet license renewals are ongoing. Epidemiological concerns are being monitored through the New Jersey Immunization Information System. Follow-up is being conducted on all Public Health nuisance complaints received. A retail food establishment inspection matrix is being

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worked on to ensure proper surveillance of food establishments. Reports are prepared and submitted monthly to contracting municipalities for monthly meetings with the various Boards of Health.

### **Community Affairs**

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

The Senior Center reports that eighteen people were on hand for nutritionist Jenn Luster's program on Winter Soups on Wednesday, January 18th. The following day was the second T-Cap Day, with 20 participants and 100 turbans completed. Tom DiDonato from Verizon Fios's Pause/Push cable program filmed the event and interviewed people about how the program started and the response from the patients at the Carol G. Simon Cancer Center. The program should be available on Fios 1 around February 19th. Senior Citizen Advisory Committee members John Hoover and Phyllis Flemming joined Ms. Byrne at the January 19<sup>th</sup> Grotta/TriTown 55+ meeting. A new transportation provider, GoGoGrandparents, is being considered, for a fee, drivers will transport seniors to contiguous towns for doctor appointments, cultural events and social opportunities. The annual Taste of Madison fundraiser will be held Monday, March 20, 2017.

### **COMMUNICATIONS AND PETITIONS- None**

#### **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.**

**Tom Haralampoudis; Pomeroy Road**, commented on the proposed four-hour parking ordinance asking that Police Officers use discretion on some Borough streets. Mr. Haralampoudis also commented on the proposed bleacher appropriation noting additional seating is necessary for both fields.

**Julie Carlson, Dean Street**, express concern regarding employees from Whole Foods parking on nearby streets, noting four hours will not deter employees and suggested two hour parking.

### **AGENDA DISCUSSIONS**

**01/23/2017-1** FOUR (4) HOUR BOROUGH WIDE PARKING RESTRICTION  
Mr. Codey provided explanation regarding a proposed ordinance limiting parking to four hours on all Borough streets in an effort to address commuter parking on residential streets. Mr. Codey noted that streets with shorter parking restrictions will not be affected, and that the police department will use discretion.

Ordinance 7-2017 is listed for introduction.

#### **01/23/2017-2 PURCHASING PRIMER AND OPEN SPACE TRUST FUND BUDGET**

Linda Sawyer, Qualified Purchasing Agent, provided purchasing procedures and internal controls use by the Borough, noting a recommended change to the process for Council approval of voucher, which will save time. Following discussion there was consensus to change the voucher procedure begin the next Council meeting

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**01/23/2017-3 OPEN SPACE TRUST FUND APPROPRIATION FOR BLEACHER PROJECT**

Mr. Burnet provided information regarding a request for \$274,000 for bleachers at the Madison Recreation Center, noting the Open Space Committee has reviewed the project funding request and is recommending Council approval. There was no objection to listing an ordinance for introduction.

Ordinance 6-2017 is listed for introduction.

**01/23/2017-4 BIKEWAY GRANT FROM NJ DEPARTMENT OF TRANSPORTATION**

Mr. Wolkowitz recommended that the Council approve a request to apply to the New Jersey Department of Transportation for a grant to fund the rehabilitation and expansion of the municipal bikeway system, which includes signage, striping and bike racks throughout the Borough.

Resolution 48-2017 is listed on Consent Agenda.

**ADVERTISED HEARINGS**

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on January 9, 2017, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

**ORDINANCE 1-2017  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$1,330,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND  
FOR 2017 ROAD RECONSTRUCTION PROJECTS, RELATED WORK  
AND MISCELLANEOUS PROJECTS**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$1,330,000.00 from the General Capital Improvement Fund for 2017 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 \$1,330,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$1,330,000.00 from the General Capital Improvement Fund for the 2017 Road Reconstruction Projects, related work and miscellaneous projects throughout the Borough.

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**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 \$1,330,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2017 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.

Mayor Conley opened up the public hearing on Ordinance 1-2017. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 1-2017, which was read by title, be finally adopted. Mr. Rowe 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. Wolkowitz, Mr. Rowe, Mrs. Byrne

Nays: None

Absent: Landrigan

Mayor Conley declared Ordinance 1-2017 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 2-2017  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$1,136,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND  
FOR 2017 MILLING AND OVERLAY PROJECTS**

**WHEREAS,** the Borough Engineer has recommended that the Borough appropriate \$1,136,000.00 from the General Capital Improvement Fund for 2017 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 \$1,136,000.00 for this purpose; and

**WHEREAS,** the Borough Council has determined that the Borough should appropriate \$1,136,000.00 from the General Capital Improvement Fund for the 2017 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:

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SECTION 1: The amount of \$1,136,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2017 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.

Mayor Conley opened up the public hearing on Ordinance 2-2017. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 2-2017, which was read by title, be finally adopted. Mr. Rowe 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. Wolkowitz, Mr. Rowe, Mrs. Byrne

Nays: None

Absent: Landrigan

Mayor Conley declared Ordinance 2-2017 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 3-2017**

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$400,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR WATER MAIN REPLACEMENT PROJECTS AND RELATED WORK ON LOCAL ROADS**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$400,000.00 from the Water Capital Improvement Fund for construction of water main Replacements and related work on local roads; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$400,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$400,000.00 from the Water Capital Improvement Fund for construction of water main replacements and related work on Local roads; 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 \$400,000.00 is hereby appropriated from the Water Capital Improvement Fund for construction of water main replacements and related work on Local roads.

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

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

Mayor Conley opened up the public hearing on Ordinance 3-2017. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 3-2017, which was read by title, be finally adopted. Mr. Rowe 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. Wolkowitz, Mr. Rowe, Mrs. Byrne

Nays: None

Absent: Landrigan

Mayor Conley declared Ordinance 3-2017 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 4-2017  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER  
14 OF THE BOROUGH CODE REGARDING INDEMNIFICATION OF  
MUNICIPAL OFFICIALS AND EMPLOYEES**

**WHEREAS**, the Borough of Madison adopted § 14-1 and § 14-2 of the Code of the Borough of Madison which provides for reimbursement of legal fees, in limited circumstances, to officials and employees of the Borough who incur these expenses arising out of their employment with the Borough; and

**WHEREAS**, it is in the best interest of the Borough to amend Chapter 14 of the Code in order to clarify the limitations and to update the chapter in order to be similar to the MEL's model Indemnification Ordinance and other Joint Insurance fund policies.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 14 of the Borough Code be amended as follows:

**§ 14-1 General conditions; civil actions.**

[Amended 3-14-1977 by Ord. No. 6-77; 9-10-2007 by Ord. No. 61-2007; 2017 by Ord. No. 2]

Subject to the limitations set forth in the subsequent sections of this chapter, whenever any civil action has been or shall be brought against any person (hereinafter referred to as "employee" or "official") holding or formerly holding any

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office, position or employment with the Borough of Madison for any action or omission arising out of or in the course of the performance of the duties of such office, position or employment, the Borough shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and shall save harmless and protect such persons from any financial loss resulting from the litigation. The Borough shall provide for defense of and indemnify any present or former employee or official of the Borough who becomes a defendant in a civil action if the person or persons involved:

- A. Acted or failed to act in a matter in which the Borough has or had an interest;
- B. Acted or failed to act in the discharge of a duty imposed or authorized by law; and
- C. Acted or failed to take action in good faith.

However, the Borough shall not indemnify any employee or official against the payment of punitive damages, penalties, or fines, but may provide for the legal defense of such claims in accordance with the standards set forth in this chapter. The Borough may refuse to provide for the defense and indemnification of any civil action referred to in this chapter if the Borough Council determines that:

- A. The act or omission did not occur within the scope of a duty authorized or imposed by law;
- B. The act or omission was the result of actual fraud, willful misconduct, or actual malice; or
- C. The defense of the action or proceeding by the Borough would create a conflict of interest between the Borough and the employee(s) or official(s) involved.

In any other action or proceeding, including criminal proceedings, the Borough may provide for the defense of a present or former employee or official if the Borough Council concludes that such representation is in the best interest of the Borough and that the person to be defended acted or failed to act in accordance with the standards set forth in this ordinance.

Whenever the Borough provides for the defense of any action set forth herein and as a condition of such defense, the Borough may assume exclusive control over the representation of such persons defended and such person shall fully cooperate with the Borough. The Borough may provide for the defense pursuant to this ordinance by authorizing its attorney to act on behalf of the person being defended or by employing other counsel for this purpose or by asserting the right of the Borough under any appropriate insurance policy that requires the insurer to provide the defense. The Borough Attorney or other attorney selected by the Borough Council shall represent the Borough official or employee, at a cost not to exceed the hourly rate which the Borough compensates its Borough Attorney.

### **§ 14-2 Criminal actions.**

[Amended 9-10-2007 by Ord. No. 61-2007]

The Borough shall not defray the costs of defending any criminal action against any Borough employee or official except as may be authorized by state statute or other municipal ordinance or resolution of the Borough of Madison, and in those circumstances, the responsibility for defraying the costs of defending such employee or official shall be applicable only when such criminal proceedings shall have been dismissed or result in a final disposition in favor of the employee or official. Further, in the event that the Borough indemnifies the employee or official, the cost of that indemnification shall not exceed the hourly rate paid to the Borough Attorney. Nonetheless, should the Borough Council determine that there is good cause to dismiss the employee or official arising out of the incident or related incidents of the criminal prosecution, the Borough will not reimburse the employee or official for legal defense and costs of defending the suit, even though criminal proceedings

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against the employee or official may be dismissed or the employee or official found not guilty.

**§ 14-3 Ethics Proceedings**

**[Added 2017 by Ord. No. 2]**

The Borough will not provide a defense for employees or officials who are charged with ethical offenses or violations. The Borough Council may, however, authorize the Borough to reimburse the employee or official for the reasonable cost of the defense of ethics proceeding, including investigation, costs and reasonable legal fees, as further defined in this chapter, provided that the ethics proceeding is dismissed or is finally determined in favor of the employee or official. In addition, the Borough may indemnify an employee or official if the Mayor and Council, by a majority vote, finds that a Borough employee or official who is found to have committed an ethical offense acted in a manner that was reasonably debatable at the time that the violation occurred and that the employee or official's actions or omissions did not constitute willful misconduct or an intentional wrong.

**§ 14-4 Limitations.**

[Amended 3-14-1977 by Ord. No. 6-77; 2017 by Ord. No. 2]

The Borough shall not be obligated to defend and indemnify its employees or officials if:

- A. The alleged act or omission was not within the scope of employment or authority, or the act or omission does not arise out of and is not directly related to the employee or official's lawful exercise of his or her authority or duty in furtherance of the employee or official's authority or duty;
- B. The claim arises from circumstances under which the Borough itself would not be liable for the acts of its employees or officials under the doctrine of respondent superior;
- C. The act or omission constitutes a criminal offense, ethical offense, actual fraud, intentional or willful misconduct, actual malice, or an intentional or wrongful act or omission;
- D. There exist policies of insurance, either obtained by the Borough or by any other, by virtue of which the employee or official is entitled to a defense in question from any insurer, including coverage pursuant to the Joint Insurance Fund or Municipal Express Liability Policies;
- E. If the action or proceeding was brought by the Borough itself against the employee or official;
- F. If the Borough employee or official has failed to substantially cooperate with the Borough and its agents, servants, attorneys, and employees in connection with the matter; or
- G. If it is not deemed appropriate by the Borough Council pursuant to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:10-1 et seq., or any other statute or applicable law.

Specifically excluded from the provisions of this chapter are the following classes of employees, officials, or former employees or officials:

- A. Any municipal employee or official providing any form of professional medical services, such as doctors and nurses, insofar as said civil action arises out of or concerns those professional medical services.
- B. Any part-time professional municipal employee or official, such as the Borough Attorney, Assistant Attorney, Auditor and Engineer, insofar as said civil action arises out of or concerns those professional services. This exclusion does not pertain to full-time professional employees such as the Borough Engineering Administrator and Finance Officer.

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**§ 14-5 Counterclaims or affirmative actions.**

**[Added 2017 by Ord. No. 2]**

If the Borough employee or official files any counteraction, counterclaim, or asserts any affirmative claims in the legal proceedings, the Borough shall not be obligated to reimburse the employee or official for any attorney's fees or costs attributed to such counteraction, counterclaim, or affirmative claim.

**§ 14-6 Notice of claims to be provided to the Borough.**

**[Added 2017 by Ord. No. 2]**

A Borough employee or official shall not be entitled to indemnification or reimbursement pursuant to this chapter unless, within fifteen (15) calendar days of the time he or she is served with any summons, complaint, process, notice, demand or pleading, he or she delivers the original or a copy thereof to the Borough. Any Borough employee or official who receives notice of a claim or is named as a party in any civil suit, ethics proceeding, or criminal proceeding either in his or her official capacity or in an individual capacity for events arising out of or connected directly or indirectly with the performance of his or her duty as a Borough employee or official shall promptly advise the Borough Administrator and the Borough Attorney of the claim or that the civil suit or criminal proceeding has been commenced and shall supply a copy of any and all notices and pleadings pertaining to the matter. The Borough employee or official shall thereafter cooperate with the appropriate Borough agents, attorneys, servants and employees in effectuating the provisions of this chapter.

**§ 14-7 Definitions.**

**[Added 3-14-1977 by Ord. No. 6-77; amended 9-10-2007 by Ord. No. 61-2007; 2017 by Ord. No. 2]**

As used in this chapter, the following terms shall have the meanings indicated:

**OFFICIAL or EMPLOYEE**

Any person elected, appointed or employed by the Borough, paid or unpaid, in any way connected with the municipal government of the Borough of Madison, except for persons appointed to committees having no powers other than to advise. "Employee" shall include all persons on the municipal payroll. These terms shall not mean:

- A. Any person who is not a natural person;
- B. Any person while providing goods or services of any kind under any contract with the Borough except an employment contract;
- C. Any person while providing legal or engineering services for compensation unless said person is a full-time employee of the Borough; or

Any person who as a condition of his or her appointment or contract is required to indemnify and defend the Borough and or/secure insurance.

Mayor Conley opened up the public hearing on Ordinance 4-2017. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 4-2017, which was 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: Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe, Mrs. Byrne

Nays: None

Absent: Landrigan

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Mayor Conley declared Ordinance 4-2017 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.**

**Tom Haralampoudis; Pomeroy Road**, express his happiness with the introduction of Ordinance 7-2017 regarding 4 hour parking Borough wide. Mr. Haralampoudis also noted that he would like to see part of the electric utility surplus used to reduce debt.

**John Hoover; Overhill Drive**, asked about the bill payment process for utility payments, asking if the process could be more efficient.

**Bob Jennings; Albright Circle**, voiced his frustration regarding the Board of Education not moving to the east wing of the Hartley Dodge Memorial, noting it would be beneficial to the Borough taxpayers.

**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 February 13, 2017 in the 2<sup>nd</sup> 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 Conley called up Ordinances for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 5-2017 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 94 OF THE MADISON BOROUGH CODE ENTITLED  
“ELECTRIC UTILITY” TO AUTHORIZE REIMBURSEMENT FOR ELECTRIC  
INFRASTRUCTURE IMPROVEMENTS

**WHEREAS**, the Borough Administrator of the Borough of Madison has recommended that the Borough Code be amended to recoup all costs associated with electric infrastructure improvements generated by development activities; and

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

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

§94-3 Matters primarily of interest to developers, builders, contractors and electricians installing wiring, fixtures and appliances in homes and buildings.

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**NEW DEVELOPMENTS**

3.01 Borough planning regulations require that in all new subdivisions and developments, the owner furnish and install, at his expense, all electric utility poles (or underground conduit, if he so desires), conductors, pole hardware, street lights, transformers and secondary wires, within the limits of the proposed development. The Department will install service drops. All off-site, and/or additional onsite electric infrastructure improvements required to provide electric service to the subject property shall be at the expense of the property owner.

**SECTION 1:** Appendix C to Chapter 94 of the Borough Code, entitled “Borough of Madison Electric Utility Department Rules and Regulations” is hereby amended.

**SECTION 2:** All other terms remain the same, except those changed herein.

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

Mr. Wolkowitz moved that Ordinance 5-2017, which the Borough Clerk read by title, be adopted. Mr. Rowe 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. Wolkowitz, Mr. Rowe, Mrs. Byrne

Nays: None

Absent: Landrigan

**ORDINANCE 6-2017 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$274,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST  
FUND TO INSTALL BLEACHERS AT THE MADISON RECREATION CENTER**

**WHEREAS**, the Open Space Advisory Committee has recommended funding up to \$274,000.00 from the Municipal Open Space Trust Fund for installation of bleachers at the Madison Recreation Center (MRC); and

**WHEREAS**, \$27,500.00 was donated for the bleacher project by the various Madison Sports groups and associations utilizing the MRC turf fields for their programs which was deposited into the Municipal Open Space Trust Fund; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of the funds in the Municipal Open Space Trust Fund in an amount not to exceed \$274,000.00 for this purpose.

**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 \$274,000.00 is hereby appropriated from the Municipal Open Space Trust Fund to install bleachers at the Madison Recreation Center.

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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. Wolkowitz moved that Ordinance 6-2017, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Landrigan

ORDINANCE 7-2017 ORDINANCE OF THE BOROUGH OF MADISON AMENDING AND SUPPLEMENTING CHAPTER 185 ENTITLED, "VEHICLES AND TRAFFIC" ARTICLE II, "NO PARKING CERTAIN HOURS" TO LIMIT PARKING TO FOUR HOURS FOR ALL STREETS IN MADISON WITHOUT MORE RESTRICTIVE PARKING HOURS

WHEREAS, the Borough has ascertained that the designation of four (4) hour parking would be beneficial to the Borough's residents and the efficient operations of the Borough; and

WHEREAS, an amendment to the Code of the Borough is required in order to implement a provision allowing for the designation of four (4) hour no-parking areas throughout the Borough:

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Madison that the following provision of the Code of the Borough is amended as follows:

Section 185-30 of the Code of the Borough of Madison entitled "Schedule II: "No Parking Certain Hours", subsection shall have the following added to it:

**§ 185-30. No Parking Certain Hours:**

....

B.

In accordance with the provision of **§ 185-7**, no person shall park a vehicle on any public street of the Borough of Madison for more than 4 hours, Monday – Friday, except holidays between the hours of 8:00 a.m. and 4:00 p.m. prevailing time unless posted otherwise.

....

**AND BE IT FURTHER RESOLVED** that any prior Ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies;

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**AND BE IT FURTHER RESOLVED** that should any section, part of any section, or clause or phrase of this Ordinance for any reason be held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance;

**AND BE IT FURTHER RESOLVED** that this Ordinance shall become effective upon final passage and publication as required by law.

Ms. Byrne moved that Ordinance 7-2017, which the Borough Clerk read by title, be adopted. Mr. Rowe 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. Wolkowitz, Mr. Rowe, Mrs. Byrne  
Nays: None  
Absent: Landrigan

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

Mrs. Vitale moved adoption of the Resolutions listed on the Consent Agenda. Ms. Byrne 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. Wolkowitz, Mr. Rowe, Mrs. Byrne  
Nays: None  
Absent: Landrigan

R 44-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING COMMISSIONERS TO THE NEW JERSEY PUBLIC POWER AUTHORITY (NJPPA), A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY

**BE IT RESOLVED** by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that **JAMES E. BURNET, IV** is hereby appointed as the Borough's Commissioner to the New Jersey Public Power Authority (NJPPA), effective immediately to represent the Borough of Madison, New Jersey.

**BE IT FURTHER RESOLVED** that **Raymond M, Codey** is hereby appointed as the Borough's Alternate Commissioner to the New Jersey Public Power Authority (NJPPA) effective immediately to represent the Borough of Madison, New Jersey.

R 45-2017 RESOLUTION OF THE BOROUGH OF MADISON APPROVING THE ANNUAL LITTLE LEAGUE PARADE TO BE HELD ON SATURDAY, APRIL 22, 2017

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**WHEREAS**, the Madison Little League has requested permission to hold its annual Little League Parade on Saturday, April 22, 2017 to officially start their 2017 season; and

**WHEREAS**, the parade will begin at 12:00 Noon, and proceed on a route approved by the Madison Borough Police Chief, said route beginning at the intersection of Wilmer Street and Green Village Road, and it will continue down Green Village Road to Main Street, continuing east on Main Street and turn left onto Greenwood Avenue, continuing down Greenwood Avenue where it will conclude at Dodge Field where there will be a brief ceremony at the conclusion of the parade; and

**WHEREAS**, Police Chief Dachisen recommends approval of this request.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Madison Little League to hold its annual Little League Parade in Madison on Saturday, April 22, 2017, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

R 46-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION AND SUBMISSION OF CONSENT FORMS TO THE NJDEP FOR PERMITS AUTHORIZING REPLACEMENT OF THE SANITARY SEWER MAIN AND TREATMENT WORKS APPROVALS FOR MILLENNIUM DEVELOPMENT GROUP, LLC

**WHEREAS**, the Borough Engineer requires authorization to act on behalf of the Borough of Madison to execute and submit consent forms to the New Jersey Department of Environmental Protection (NJDEP) in connection with treatment works approvals for construction of sanitary sewers for the Kings Road redevelopment of Block 5201, Lot 11 in the Borough of Madison along Kings Road, in conjunction with the redevelopment applicant, Millennium Development Group, LLC.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Robert Vogel, Borough Engineer, is authorized to endorse TWA and WQM forms to be submitted to the NJDEP as part of a Treatment Works Approval application, addressing sanitary sewer main construction, on behalf of the Borough of Madison (owner of the public sewer system), in cooperation with the applicants proposal to install sewer mains to serve the redeveloped property which will include five (5) units at the existing property located at Block 5201, Lot 11 in the Borough of Madison.

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R 47-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT OF THE 2013, 2014, 2015 AND 2016 TAX APPEALS ENTITLED UBS 2001-FL 1 GIRALDA FARMS, LLC V. MADISON BOROUGH, DOCKET NO. :008734-2013; 004453-2014 ; 003228-2015 AND MADISON GIRALDA PROPERTY OWNER, LLC V. BOROUGH OF MADISON, DOCKET NO. 004087-2016 OF THE TAX ASSESSMENT OF BLOCK 3202, LOT 1, KNOWN AS LOANTAKA WAY, IN THE BOROUGH OF MADISON, MORRIS COUNTY, NEW JERSEY

**WHEREAS**, appeals of the real property tax assessment for tax years 2013, 2014, 2015 and 2016 on Block 3202, Lot 1 have been filed by the Taxpayer, UBS 2001-FL 1 Giralda Farms, LLC and Madison Giralda Property Owner, LLC; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Borough of Madison.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Madison, New Jersey, as follows:

1. Settlement of the 2013-2014 tax appeal is hereby authorized as follows:

Loantaka Way  
Block 3202, Lot 1  
**Year: 2013, 2014**

| <u>Original Assessment</u> | <u>County Board Judgment</u> | <u>Settlement Amount</u> |
|----------------------------|------------------------------|--------------------------|
| Land: \$9,023,900          | N/A                          | \$7,500,000              |
| Imprvts:\$ 0               | N/A                          | \$7,500,000              |
| Total: \$9,023,900         | N/A                          | \$7,500,000              |

2. Settlement of the 2015-2016 tax appeal is hereby authorized as follows:

Loantaka Way  
Block 3202, Lot 1  
**Year: 2015, 2016**

| <u>Original Assessment</u> | <u>County Board Judgment</u> | <u>Settlement Amount</u> |
|----------------------------|------------------------------|--------------------------|
| Land: \$9,023,900          | N/A                          | \$8,000,000              |
| Imprvts: \$ 0              | N/A                          | \$8,000,000              |
| Total: \$9,023,900         | N/A                          | \$8,000,000              |

3. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

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**R 48-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING NJDOT GRANT APPLICATION FOR THE MUNICIPAL BIKEWAY SYSTEM**

**WHEREAS**, the Borough Administrator has recommended that the Borough submit a 2017 New Jersey Department of Transportation Bikeway Grant Application for funding to rehab, enhance and expand the municipal bikeway system; and

**WHEREAS**, the bikeway project will include signage, striping and bike racks throughout the Borough.

**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 Council formally approves the grant application for the above stated purpose.

**BE IT FURTHER RESOLVED** that if the grant is approved the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Madison and that their signature constitute acceptance of the terms and conditions of the grant agreement.

**R 49-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING \$350,000 NJDOT MUNICIPAL AID APPLICATION FOR GREENWOOD AVENUE ROAD RECONSTRUCTION**

**WHEREAS**, the Borough Engineer has recommended that the Borough submit a 2017 Municipal Aid Application to the New Jersey Department of Transportation for the Greenwood Avenue Road Reconstruction Project; and

**WHEREAS**, the Greenwood Avenue Road Reconstruction Project will comprise reconstruction of a heavily used collector road; and

**WHEREAS**, the Borough Engineer has determined that the reconstruction is urgently needed due to current road conditions and need for curb and drainage structure.

**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 Borough formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Madison Borough-00225 to the New Jersey Department of Transportation on behalf of the Borough of Madison.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Madison and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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**R 50-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SIGNATURE ON DECLARATION OF INTENT TO APPLY FOR 2017 MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT**

**WHEREAS**, the Borough Administrator has recommended that the Borough authorize the Mayor to submit a Declaration of Intent to apply to the Morris County Historic Preservation Trust Fund 2017 Grant Program in connection with renovations to the exterior plaza and East Wing at the Hartley Dodge Memorial building (deadline for submittal of Declaration of Intent is February 28, 2017); and

**WHEREAS**, the Borough Council has determined it is appropriate to authorize the Mayor to sign a Declaration of Intent to the Morris County Historic Preservation Trust Fund 2017 Grant Program in connection with renovations to the exterior plaza and East Wing at the Hartley Dodge Memorial building.

**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 is authorized to sign a Declaration of Intent to submit a Grant Application to the Morris County Historic Preservation Trust Fund 2017 Grant Program in connection with renovations to the exterior plaza and East Wing at the Hartley Dodge Memorial building (deadline February 28, 2017).

**R 51-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF FLORHAM PARK, TOWNSHIP OF EAST HANOVER AND THE TOWNSHIP OF HANOVER FOR POLICE SPECIAL WEAPONS AND TACTICS “SWAT” UNITS**

**WHEREAS**, the Borough of Florham Park, the Township of East Hanover, the Township of Hanover and the Borough of Madison have agreed to enter into a Shared Services agreement to receive and extend assistance in the form of Special Weapons and Tactics Units (SWAT team) services and resources to one another when assistance is requested; and

**WHEREAS**, all participating agencies included in this agreement are members of the Morris Joint Insurance Fund (JIF) and assume liability as a result of acts, omissions or conduct of each of the SWAT team members; and

**WHEREAS**, the Madison Borough Council has reviewed the proposed agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Madison Police Chief is authorized to enter into a Shared Services agreement with the Borough of

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Florham Park, the Township of East Hanover and the Township of Hanover to receive and extend assistance in the form of SWAT team services and resources when assistance is requested, such agreement to be in a form approved by the Madison Borough Attorney.

**R 52-2017 RESOLUTION OF THE BOROUGH OF MADISON RECOGNIZING THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014 TO JUNE 2019**

**Governor’s Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2014 to June 2019**

**FORM 1B**

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

**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 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 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 2018 in the amount of:

|            |              |
|------------|--------------|
| DEDR       | \$ 12,419.00 |
| Cash Match | \$ 3,104.75  |
| In-Kind    | \$ 9,314.25  |

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

**R 53-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A REVISED AGREEMENT TO RESOLVE DIFFERENCES CONCERNING PROPOSED DEVELOPMENT**

**WHEREAS** the Borough of Madison and Rock-GW LLC, a limited liability company of the State of Delaware (hereinafter called “Rock-GW”) desire to amicably resolve differences with regard to a proposed development (including a residential

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development and supportive housing) by Rock-GW on the Borough of Florham Park, Tax Block 1401, Lots 1.06 and 1.09; and

**WHEREAS**, a copy of the proposed “Amended Agreement to Resolve Differences Concerning Proposed Development” is attached hereto and incorporated as if fully set forth herein;

**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 Mayor and Borough Council hereby approve the proposed Agreement entitled “Amended Agreement to Resolve Differences Concerning Proposed Development” between the Borough of Madison and Rock-GW LLC.

2. The Mayor is authorized and directed to execute the proposed Agreement.

3. A copy of this Resolution shall be sent to the following persons:

- (a) Clerk, Borough of Madison,
- (b) Rock-GW LLC

4. All Borough Madison officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

R 54-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING KENNETH SPENCER AND EDWARD W. COOKE TO THE POSITION OF SUBSTITUTE CROSSING GUARD

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Kenneth Spencer and Edward W. Cooke are hereby appointed to the position of substitute crossing guard, effective immediately.

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Madison, that they be compensated in accordance with the Borough of Madison Resolution establishing the salaries for part-time, school crossing guards.

R 55-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE HIRING OF A HEARING OFFICER FOR DISCIPLINARY MATTERS.

**WHEREAS**, the Borough requires the services of a hearing officer to conduct a disciplinary hearing for the Borough of Madison Police Department; and

**WHEREAS**, Timothy Quinn is an experienced and well qualified hearing officer for matters regarding police officers; and

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

- 1. Timothy Quinn shall serve as the hearing officer for disciplinary matters in the Borough of Madison Police Department.

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2. Timothy Quinn shall be compensated \$100.00 an hour for his services, for amount not to exceed \$5,000.00.

R 56-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ST. BALDRICK'S CHILDREN'S' CANCER EVENT AT WAVERLY PLACE ON SUNDAY, MARCH 12, 2017

**WHEREAS**, Tom Selquist has applied for special permission to close Waverly Place on Sunday, March 12, 2017, from noon to 5:00 p.m. 2:00 p.m. to 5:00 p.m.; and

**WHEREAS**, the Borough Council has determined that special permission should be issued provided that Mr. Selquist complies with all requests from the Police Department and Health Department.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that special permission is authorized to close Waverly Place on Sunday, March 12, 2017, from noon to 5:00 p.m. to 5:00 p.m. subject to compliance with requests from Borough officials.

***UNFINISHED BUSINESS*** - None

***APPROVAL OF VOUCHERS***

On motion by Mrs. Vitale, 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              | \$2,892.04            |
| Health & Public Assistance | 1,458.89              |
| Public Works & Engineering | 88,915.69             |
| Community Affairs          | 201.95                |
| Finance & Borough Clerk    | 3,682,954.33          |
| Utilities                  | <u>364,560.65</u>     |
| Total                      | <u>\$4,140,983.55</u> |

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

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe, Mrs. Byrne  
Nays: None  
Absent: Landrigan

***NEW BUSINESS***

Mayor Conley announced the following appointment requiring Council confirmation:

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SHADE TREE MANAGEMENT BOARD

**Thomas Salaki**, *At Large*, 1 Fairwood Road, for an unexpired five year term through December 31, 2019.

SENIOR CITIZEN ADVISORY BOARD

**Ellwood (Woody) R. Kerkeslager**, *MACA Rep*, 60 Prospect Street, for a one year term through December 31, 2017.

Mrs. Vitale moved confirmation of the foregoing appointments. Ms. Baillie 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. Wolkowitz, Mr. Rowe, Mrs. Byrne

Nays: None

Absent: Landrigan

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved February 27, 2017 (EO)