

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

February 10, 2020 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 10th day of February, 2020. 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, 2020. 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
Maureen Byrne
John F. Hoover
Debra J. Coen
Rachel F. Ehrlich

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

Ms. Baillie moved:

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

MINUTES FOR APPROVAL (1)

January 27, 2020

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

CONTRACT MATTERS (9)

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AFFORDABLE HOUSING UPDATE
HVAC EQUIPMENT
LINE STRIPING IMPROVEMENTS
MILLING AND REPAVING IMPROVEMENTS
ROAD CRACK SEALING
CURB REPLACEMENT IMPROVEMENTS
MASONIC TEMPLE
ELECTRIC POWER PURCHASE
JACOB HENRY PERKINS TRUST DISBURSEMENT
Date of public disclosure 60 days after conclusion, if disclosure required.

Seconded: Mrs. Vitale
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 residents Salvatore P. Luciano, Robert Guempel, and Ann Carol Heilmann.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of January 27, 2020**. Mrs. Vitale seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Baillie moved approval of the **Regular Meeting Minutes of January 27, 2020**. Ms. Byrne seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

EMPLOYEES OF THE MONTH FOR FEBRUARY:

Lisa Ellis, Director of Business Development and Michael Pellessier, Communications and Technology Coordinator are Employees of the Month for February for taking over the task of processing parking applications and distributing annual parking permits.

ANNIVERSARY FOR THE MONTH FOR FEBRUARY:

Lt. James Blair of the Madison Fire Department – 20th Anniversary on February 15th.

PROCLAMATIONS:

R 82-2020 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE CELEBRATION OF THE 100TH ANNIVERSARY OF WOMEN'S SUFFRAGE

WHEREAS, the year 2020 marks the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution, guaranteeing and protecting women's right to vote; and

WHEREAS, this centennial offers an opportunity to commemorate a milestone of democracy; that the right of citizens of the United States to vote shall

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not be denied or abridged by the federal or state governments on account of gender; and

WHEREAS, New Jersey has had a long, storied history in the suffrage movement with New Jersey women playing a crucial role in pursuing the rights of women to vote; and

WHEREAS, in 1776 women property owners were enfranchised under the New Jersey State Constitution, which was unique in the nation at the time. However, in 1807, the New Jersey Legislature eliminated the property requirement for voting rights and limited the ballot to white males; and

WHEREAS, in 1867 New Jersey residents Lucy Stone and Harry Blackwell organized the New Jersey Woman Suffrage Association (NJWSA), devoted to gaining women’s suffrage; and

WHEREAS, in 1909 New Jersey’s first open air suffrage rallies were held in Orange and Newark, led by Dr. Emma O. Gantz and Martha Klatshchken with NJWSA collecting 5,000 signatures for a petition in support of the federal amendment guaranteeing and protecting women’s constitutional right to vote; and

WHEREAS, although the 1912 state referendum on woman’s suffrage was soundly defeated in the New Jersey Legislature a corner was turned for the New Jersey suffrage movement; and

WHEREAS, in 1913 an automobile rally led by “General” Rosalie Jones traveled through New Jersey on the way to Washington, D.C., in a Suffrage Parade of over 8,000 marchers with many New Jersey women including event organizer Alice Paul; and

WHEREAS, in 1915 a second suffrage constitutional referendum was pursued in New Jersey, New York, Pennsylvania, and Massachusetts with active campaigns by many suffrage organizations, including the “Passing of the Torch of Liberty” via tug boats on the Hudson River from New York to New Jersey, but was defeated in all four states October 1915; and

WHEREAS, in 1917 New Jersey suffragists Allison Turnbull Hopkins, Julia Hulburt, Beatrice Reynolds Kinhead, and Minnie D. Abbott picketed in front of the White House as part of the Silent Sentinels and subsequently were arrested and imprisoned; and

WHEREAS, on June 4, 1919 Congress passed the 19th Amendment guaranteeing all American women the right to vote; and

WHEREAS, on February 9, 1920, New Jersey became the 29th state to ratify the 19th

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Amendment granting women the right to vote; and

WHEREAS, shortly after the ratification of the 19th Amendment Margaret Laird and Jennie Van Ness were the first two women elected to the New Jersey Assembly in 1921 and in 1925 Rebecca Estelle Bourgeois Winston of Estell Manor was New Jersey's first woman mayor; and

WHEREAS, the Mayor and Council further recognize the women of color who fought tirelessly for the right to vote but were not enfranchised until the passage of the Voting Rights Act of 1965, which secured voting rights for racial minorities; and

WHEREAS, the Borough of Madison wishes to honor New Jersey female suffragists of color Reverend Florence Spearing Randolph, Mary Burrell, Violet Johnson, and Bessie Brown Mention, whose leadership and activism helped pave the way for today's historic representation by a diverse group of women in Congress.

NOW, THEREFORE, BE IT RESOLVED, in honor of the 100th Anniversary of the Ratification of the 19th Amendment Borough of Madison will light the municipal building in purple, one of the colors of the New Jersey Suffrage movement, for the week of February 10; and

BE IT FURTHER RESOLVED that the Borough of Madison supports the efforts of New Jersey's Suffrage Centennial NJ Women Vote and strongly encourages local celebrations of this historic milestone; and

BE IT FURTHER RESOLVED, a copy of this resolution will be forwarded to the Governor, Secretary of State and New Jersey League of Municipalities.

Mayor Conley asked for a motion to approve Resolution 82-2020. Mrs. Vitale moved approval of resolution 82-2020. Ms. Baillie seconded the motion, which passed with a unanimous voice call vote recorded. Each Council member read a portion of Resolution 82-2020 for the record.

Mayor Conley Presented Proclamation proclaiming 100th Anniversary of the League of Women Voters presented to Marie Fornaro.

*Proclamation
of the
Borough of Madison
Recognizing
The 100th Anniversary of the
League of Women Voters of the United States*

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WHEREAS, the League of Women Voters was founded in 1920 as a “mighty political experiment” by the foremothers of the suffragist movement at the National American Woman Suffrage Association; and

WHEREAS, its goal was to help the 20 million women who were granted the right to vote by the 19th Amendment understand and carry out their new responsibility as voters; and

WHEREAS, with the success of this effort and the tireless efforts over the last 100 years to strengthen and uphold its mission to empower voters and defend democracy, the League has become a trusted nonpartisan, grassroots organization; and

WHEREAS, the League has sponsored legislation and fought in the courts to protect and strengthen voting rights and access, for free and fair elections, for civil rights for all including children and minorities, for community health, for public education for all people, for resource protection and conservation; and

WHEREAS, the League has consistently been noted for its nonpartisan election information, including sponsorship of candidate forums and information on state and local ballot issues, as well as its commitment to register, educate and mobilize voters; and

WHEREAS, the League champions government systems that are open, transparent, inclusive and equitable; and

WHEREAS, the League believes that active and engaged citizens, irrespective of gender, ethnicity or political affiliation, are the hallmark of democracy;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim February 14, 2020 as **The League of Women Voters Day of Action**. We honor and congratulate the League of Women Voters on its 100th Anniversary and commend the League for its significant contributions to empowering voters and making democracy work.

Robert H. Conley, Mayor February 10, 2020

Mayor Conley present a Proclamation presented to Mary Robinson, CNN Hero.

*Proclamation
of the
Borough of Madison
Recognizing*

MARY ROBINSON

“CNN HERO”

WHEREAS, Imagine, A Center for Coping with Loss is a grief support center for children founded by Madison resident Mary Robinson, who lost her father while a student at Madison High School and has worked and volunteered in the field of children’s grief support since 1997; and

WHEREAS, providing free year-round grief support to children, young adults and parents of bereaved children, the nonprofit uses a peer-support group model with trained adult volunteers and professionals committed to providing children and teens with the comfort and tools needed to learn to process grief and grow up emotionally healthy; and

WHEREAS, with locations in Mountainside and Newark, Imagine also provides education in the community by leading workshops in schools and workplaces and offering on-site support in schools and workplaces following any traumatic loss; and

WHEREAS, Imagine was founded in 2011 when Mary was invited to open a grief support center by Dr. Gerald Glasser, who provided an initial grant for start-up funding and continues to provide annual support through The Glasser Foundation which was set up in memory of his son, Thomas Glasser, a victim of the 9/11 terror attack, to insure that no child should ever have to grieve alone; and

WHEREAS, founder and Executive Director of Imagine, Mary Robinson was recently selected as a “CNN Hero”, a campaign which since 2007 has received over 85,000 nominations and has profiled more than 300 “everyday people changing the world” who are honored for their selfless, creative efforts to help others;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby extend congratulations to Mary Robinson as recipient of the **CNN Hero** award and express our gratitude and appreciation for her dedication and commitment as well as serving as an inspiration and a hero to all in Madison.

Robert H. Conley, Mayor
February 10, 2020

REPORTS OF COMMITTEES

Finance and Borough Clerk

Mrs. Vitale, Chair of the Committee, made the following comments:
In anticipation of the June 2nd Primary Election, the filing deadline for Nomination Petitions for County Committee Member as well as Municipal Office is March 30, 2020. Forms are available in the Borough Clerk’s Office. Voter Registration forms, as well as Mail in Ballot applications, are also available in the Borough Clerk’s office or on line at morriselections.org As a reminder, Pet licenses are due now before

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February 29th. Call Clerk's office for more information. The Finance Department will present the first draft of the 2020 municipal budget, with Department Heads making presentation at the February 24th Council Meeting. The budget process is available on rosenet.org.

Public Safety

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

On January 30, 2020 Sergeant James Cavezza graduated from the NJ State Association of Chiefs of Police Command and Leadership Academy. Its curriculum was developed in collaboration with the United States Military Academy at West Point. On Monday February 10, 2020 Sergeant Ed Mitchko officially retired from the Madison Police Department. Born and raised in the town of Boonton and now a current resident of Florham Park NJ, Sgt. Mitchko joined the Madison police department in 1995 after attending Morris county 45th basic police training academy as an alternate route cadet. The Madison Police Department will be conducting their mandatory firearms training and qualifications at the John Ave training facility. Residents should not be alarmed if they hear gun shots in this area. Firearms training is required by the NJ State Attorney General Guidelines. During the month of January, the Fire Department responded to 16 General Alarms, 15 Still Alarms, 36 Investigations and 30 Medical calls, for a total of 97 calls for the month. The Department conducted 35 Fire Prevention inspections and 22 Smoke/CO re-sale inspections. There were two department drills held in January. The Fire Department hosted a "Fire Safety" luncheon for our Senior Citizens at fire headquarters on Thursday, January 24. Fire safety presentations and a tour of HQ were given. The Fire Department is need of Volunteer Firefighters. For information on the requirements and how to join please go to www.MadisonFD.com

Public Works and Engineering

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

The Engineering Department is in the process of implementing the road improvement program. Bids for Albright Circle and Beverly Road are advertised and scheduled to open March 19th. Glenwild Road Improvements bid is advertised with scheduled opening March 19th. Contracts for roadway maintenance will be sent with approved resolutions to Schifano Paving, Micropave, Cifelli Contracting and Denville Linestriping. Fencing at the new Dog Park will be installed this week.

Community Affairs

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

The Seniors Telephone Reassurance program is underutilized at this time. A luncheon by Representative Mikie Sherill's office, will be held on February 13th at Pine Acres with the Senior Citizen Advisory Committee meeting following. The Taste of Madison is Monday, March 23rd at Brooklake Country Club. The committee is still seeking sponsorships. Tickets are currently for pre-sale at Gary's Wine & Marketplace. The Friday fundraiser for the arts center sold out and had a few walk-ups as well. 'Lucky In Love' Saturday night sold out. 'One Singular Night: Music of Gershwin and Hamlisch' concert was the first of the Intimate Artist Series. The Madison Arts and Culture Alliance (MACA) received a \$45,000 grant from the Smart Family Foundation for a capital purchase of lighting equipment for the arts center. New "pre-summer" concert series is slated to open on Friday, May 1st, outside on the outdoor stage of the arts center.

Health

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

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The Center for Disease Control has noted that there are three cases of Coronavirus in the U.S., none in New Jersey. Influenza vaccines available still available at the Health Department.

Utilities

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

On Saturday, February 8th, the Stand-by Crew was called out for Partial Power on Rosemont Avenue. Full power was restored within an hour, and on Sunday, February 9th, the Stand-by Crew was called out for No Power on Alexander Avenue, due to a squirrel. Power was restored within one hour. The Department has also completed three of the annual MEL Safety Training Courses.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated February 6, 2020 from Sara Webb, Barnsdale Road, supporting the introduced tree protection ordinance.

Email dated February 6, 2020 from Hilary Tabish, Green Avenue, supporting the introduced tree protection ordinance.

Email dated February 6, 2020 from Marilyn Musielski, Academy Road, supporting the introduced tree protection ordinance, and asking Council to not amend the plastic bag ban ordinance.

Email dated February 6, 2020 from Michael Soriano, Woodland Road, opposing the proposed tree protection ordinance.

Email dated February 6, 2020 from Alan Sawyer, Fox Chase Road, opposing the proposed tree protection ordinance.

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.**

Richard Zipper; Greenwood Avenue, thanked Council members for approval for the Boy Scouts of America to use Summerhill Park for scout camping events, and noted scout s May Day activities planned for this year.

Johanna Habib; Central Avenue, asked that Council consider reducing electric utility rates for the Board of Education.

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

AGENDA DISCUSSIONS

02/10/2020-1 BUDGET HEARING – POLICE DEPARTMENT AND DRAFT BUDGET

Police Chief Darren Dachisen present a power point presentation on Police Department statistics and his recommendation for the department's 2020 operating budget. Mr. Burnet introduced a draft municipal budget noting a summary of what

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the budget includes, services paid for out of the municipal budget, a breakdown by department and a review of municipal surplus. Residents should look for the budget in brief on the Borough's website to help explain details of the municipal budget. Mr. Burnet reviewed the budget schedule noting no change in service provide to residents, and explained that employee costs are the largest portion of the municipal budget including pension and health insurance costs. Department Heads will present their budgets at the next Council meeting, February 25, 2019.

02/10/2020-2 PLASTIC BAG BAN ORDINANCE AMENDMENTS

Mayor Conley noted an ordinance listed for introduction to amend the plastic bag ban ordinance adopted in October, 2019 that will be implemented March 1, 2020. The amendments provide for flexibility for the enforcement officer, the 10cent charge for paper bags and weight of reusable bags offered.

Ordinance 4-2020 is listed for Introduction.

ADVERTISED HEARINGS - None

Ordinance 3-2020 has a hearing date scheduled for February 24, 2020.

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.

Pat Rowe; Pine Drive, agreed with the request to reduce the Board of Education's electric charges. Ask that additional data on the budget be provided to resident.

Alan Sawyer; Fox Chase Road, raised concern regarding the proposed tree protection ordinance.

Sara Webb; Barnsdale Road, spoke in support of the proposed tree protection ordinance, noting protection of ground water.

Allison Hock; Woodland Road, noted that homeowners are not the problem with tree cutting, but property developers. Ms. Hock asked that Council reconsider language in the proposed tree protection ordinance.

Kirsten Wallenstein; Westerly Avenue, offered her support for the proposed tree ordinance.

Chris Schorr; Shadylawn Drive, President of the Friends of the Madison Shade Tree Management Board, spoke in favor of a tree protection ordinance, noting value to the whole community.

Bridget Daley; Keep Street, offered her support for the proposed tree ordinance and raised concern regarding the \$350.00 fee to the tree fund, noting that the fee is not enough to replace most trees.

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

INTRODUCTION OF ORDINANCES

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The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of February 24, 2020 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 4-2020 ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 134A OF THE BOROUGH CODE ENTITLED “PLASTIC BAGS, SINGLE USE” PROHIBITING THE USE OF PLASTIC BAGS AND REGULATING THE USE OF PAPER BAGS BY RETAIL ESTABLISHMENTS WITHIN THE BOROUGH OF MADISON

WHEREAS, the Borough Administrator has recommended revision of Chapter 136A of the Borough Code Entitled: “Plastic Bags, Single Use”; and

WHEREAS the Borough Council has determined to revise Chapter 136A of the Borough Code.

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

SECTION 1: Chapter 136A of the Borough Code entitled “Plastic Bags, Single Use” is hereby amended as follows, additions in **bold**, omissions as ~~strike~~ through:

Chapter 136A. PLASTIC BAGS, SINGLE USE

Section 1. Chapter 136A (Plastic Bags, Single Use) of the Code of the Borough of Madison is hereby inserted to read as follows:

136A-1 DEFINITIONS

As used in this Chapter, the following terms shall have the meanings indicated.

....

Reusable Bag – A durable carryout bag with stitched handles for reinforcement made from any natural or synthetic materials other than plastic film, including, but not necessarily limited to, woven or nonwoven plastic or cloth, that is at least 10 mils thick, and that is specifically designated and manufactured for multiple reuse, and that is washable or is made from a material that can be cleaned or disinfected regularly.

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....

136A-2: USE PROHIBITED; EFFECTIVE DATE

- A. Effective March 1, 2020, no retail establishment shall provide to any customer, or to any person, a single use plastic carry-out bag, as defined in **Section 136A-1**. This prohibition applies to bags provided for the purpose of carrying goods away from the point of sale and does not apply to product bags or produce bags used to carry product(s) or produce within the retail establishment to the point of sale. The prohibition applies to single use plastic carry-out bags used for take-out deliveries from retail establishments within the Borough of Madison. The point of sale in such transactions is deemed to be at the retail establishment, regardless of where payment for the transaction physically occurs.

136A-3: MANDATORY FEE; EFFECTIVE DATE

- A. Effective March 1, 2020, all retail establishments shall make available to customers, upon request by the customer, one of the following types of bags for the purpose of carrying goods or other materials away from the point of sale, subject to the provisions of this Ordinance: **a reusable bag as defined herein or**, a paper bag, for a fee of .10 (ten cents) per bag. The fee charged shall be reflected in the sales receipt and shall be subject to applicable tax. The fee charged shall be retained by the retail establishment.
- B. The following paper bags provided by operators of retail establishments shall be exempt from the .10 (ten cent) fee:
- (5) Bags that contain pharmacy prescriptions and medicinal products; ~~or~~
 - (6) Bags that function as "produce bags" or "product bags," which shall mean bags used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or, for reasons of public health and safety, to prevent such food items from coming into direct contact with other purchased items; **or**
 - (7) Paper bags provided by retail establishments with ten or fewer employees.**

136A-4: PROMOTION OF REUSABLE BAGS

- (F) Nothing in this Ordinance shall prohibit a retail establishment from offering for sale reusable bags, as defined above.

....

136A-6: ENFORCEMENT / PENALTIES

....

(F) The Madison Health Officer and/or his/her designee is hereby empowered to utilize discretion in providing administrative exceptions regarding the implementation and enforcement of the provisions herein.

Section 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4: EFFECTIVE DATE

This Ordinance shall take effect immediately after passage and publication as provided by law.

Ms. Byrne moved that Ordinance 4-2020, 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, Ms. Byrne,
Mr. Hoover, Ms. Coen, Mrs. Ehrlich
Nays: None

ORDINANCE 5-2020 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR ADDITIONAL DESIGN CHANGES TO THE RECYCLING CENTER
CONSTRUCTION PROJECT

WHEREAS, Ordinance 34-2019 and Ordinance 46-2019 appropriated a total of \$210,000.00 from the General Capital Improvement Fund for the Department of Public Works Recycling Center project; and

WHEREAS, the Assistant Borough Engineer has recommended that the Borough appropriate an additional \$40,000.00 from the General Capital

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Improvement Fund for additional sitework associated with design changes for the Department of Public Works Recycling Center project; and

WHEREAS, funds are available in the General Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

WHEREAS, the Borough Council has determined that the Borough should appropriate an additional \$40,000.00 from the General Capital Improvement Fund for the Department of Public Works Recycling Center project.

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 \$40,000.00 is hereby appropriated from the General Capital Improvement Fund for the Department of Public Works Recycling Center project.

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

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

Ms. Byrne moved that Ordinance 5-2020, 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, Ms. Byrne,
Mr. Hoover, Ms. Coen, Mrs. Ehrlich
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.

Mrs. Vitale moved adoption of the Resolutions 71-2020 through 81-2020 and R 83-2020 and R 84-2020 listed on the Consent Agenda. 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, Ms. Byrne,
Mr. Hoover, Ms. Coen, Mrs. Ehrlich
Nays: None

R 71-2020 RESOLUTION OF THE BOROUGH OF MADISON EXTENDING THE PREVENTATIVE MAINTENANCE/REPAIR OF HVAC EQUIPMENT CONTRACT TO AIR SYSTEMS, INC. OF KENILWORTH, NEW JERSEY

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WHEREAS, a contract for electrical services was awarded by Resolution 117-2019 to Air Systems, Inc. of Kenilworth, N. J., as a result of public bidding, which contract expires on March 31, 2020; and

WHEREAS, the bid specifications allowed for a one-year extension of the contract at the request of the Borough; and

WHEREAS, the Qualified Purchasing Agent has recommended that the Borough award an extension of the contract for preventative maintenance/repair services for an additional one year.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris in the State of New Jersey that a one-year contract extension is hereby authorized to be entered into with Air Systems, Inc. of Kenilworth, New Jersey, commencing on April 1, 2020 through March 31, 2021, and the Mayor and Borough Clerk are authorized to sign such extension of contract, to be in a form approved by the Borough Attorney.

R 72-2020 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO DENVILLE LINE STRIPING, INC. FOR STRIPING WORK UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$30,000.00

WHEREAS, the Borough of Madison desires to award a contract for striping work for various roadways to 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, Denville Line Striping, Inc., of Rockaway, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract #36 'Traffic Striping on Roadways'; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for striping of various roadways in an amount not to exceed \$30,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$30,000.00 for this purpose in Ordinance 2-2020.

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 the striping of various roadways by Denville Line Striping, Inc. of Rockaway, New Jersey, at a total price not to exceed \$30,000.00 is

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hereby approved under the Morris County Co-Operative Pricing Council Contract #36.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Denville Line Striping, Inc., for striping of various roadways at a total price not to exceed \$30,000.00, in a form acceptable to the Borough Attorney.

R 73-2020 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO SCHIFANO CONSTRUCTION CORP., INC. FOR PAVING IMPROVEMENTS UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$620,000.00

WHEREAS, the Borough of Madison desires to award a contract for paving improvements to 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, Schifano Construction Corp., Inc., of Middlesex, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract # 6, Road Resurfacing; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for paving improvements in an amount not to exceed \$620,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$620,000.00 for this purpose in Ordinance 2-2020.

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 paving improvements by Schifano Construction Corp., Inc. of Middlesex, New Jersey, at a total price not to exceed \$620,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #6, Road Resurfacing.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Schifano Construction Corp., Inc. of Parsippany, New Jersey, for paving improvements at a total price not to exceed \$620,000.00, in a form acceptable to the Borough Attorney.

3. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

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R 74-2020 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO MICRO PAVE SYSTEMS, INC. FOR CRACK SEALING UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$50,000.00

WHEREAS, the Borough of Madison desires to award a contract for crack sealing to 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, Micro Pave Systems, Inc., of Roseland, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract # 6, Road Resurfacing; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for paving improvements in an amount not to exceed \$50,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$50,000.00 for this purpose in Ordinance 2-2020.

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 crack sealing by Micro Pave Systems, Inc., of Roseland, New Jersey, at a total price not to exceed \$50,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #6, Road Resurfacing.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Micro Pave Systems, Inc., of Roseland, New Jersey, for paving improvements at a total price not to exceed \$50,000.00, in a form acceptable to the Borough Attorney.

3. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 75-2020 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO CIFELLI & SON GENERAL CONTRACTING, INC. FOR CURB REPLACEMENT IMPROVEMENTS UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$30,000.00

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WHEREAS, the Borough of Madison desires to award a contract for the curb replacement improvements to 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, Cifelli & Son General Contracting, Inc., of Nutley, New Jersey has been awarded the Morris County Co-Operative Pricing Council Contract # 6, Category F, Curbing; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for curb replacement improvements in an amount not to exceed \$30,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$30,000.00 for this purpose in Ordinance 2-2020.

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 curb replacement improvements by Cifelli & Son General Contracting, Inc. of Nutley, New Jersey, at a total price not to exceed \$30,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #6, Category F, Curbing.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Cifelli & Son General Contracting, Inc. of Nutley, New Jersey, for curb replacement improvements at a total price not to exceed \$30,000.00, in a form acceptable to the Borough Attorney.

3. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 76-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF MOBILE DATA TERMINALS AND ACCESSORIES FOR THE POLICE AND FIRE DEPARTMENTS THROUGH THE NEW JERSEY COOPERATIVE PRICING SYSTEM

WHEREAS, the Borough of Madison desires to award a contract for the purchase of mobile data terminals and accessories through the New Jersey Cooperative Pricing System 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

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WHEREAS, Island Tech Services has been awarded the New Jersey Cooperative Pricing System contract number 17-Fleet-00744, Mobile Terminal Equipment and Supplies; and

WHEREAS, the IT Director has recommended that the Borough Council utilize this contract for the purchase of mobile data terminals and accessories; and

WHEREAS, funds are available in Operating Account 0-09-55-501-413, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee.

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 with Island Tech Services for the purchase of mobile data terminals and accessories for the Police and Fire Departments, in an amount not to exceed \$57,858.02 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Island Tech Services for the purchase of mobile data terminals and accessories for the Police and Fire Departments, in a form acceptable to the Borough Attorney.

R 77-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PLACEMENT OF CLOTHING DONATION BIN IN THE ROSE CITY PLAZA PARKING LOT BY CANCER SUPPORT COMMUNITY OF CENTRAL NEW JERSEY

WHEREAS, Cancer Support Community of Central NJ has applied for a permit to place a clothing donation bin in the parking lot of the Rose City Plaza; and

WHEREAS, the property owner consents to the installation and the Zoning Officer and Borough Administrator have recommended approval of 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 Borough Clerk is authorized to issue a permit to Cancer Support Community of Central NJ to place a clothing donation bin in the parking lot of the Rose City Plaza in accordance with Chapter 82 of the Madison Borough Code.

R 78-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF BERKELEY HEIGHTS TO PROVIDE INFORMATION TECHNOLOGY SERVICES

WHEREAS, the Borough of Madison wish to renew Shared Services agreement for the provision of Information Technology Support Services, wherein Madison provides the IT Support Services, subject to existing work load obligations,

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not to exceed twenty (20) hours per month, nor 250 hours annually, at an hourly rate of \$83.23 to Township of Berkeley Heights; and

WHEREAS, the Madison Borough Council has determined to renew said shared services agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into a Shared Services agreement with the Township of Berkeley Heights for the provision of Information Technology Support Services, such agreement to be in a form approved by the Madison Borough Attorney.

R 79-2020 RESOLUTION OF THE BOROUGH OF MADISON APPROVING JACOB HENRY PERKINS TRUST DISBURSEMENT

WHEREAS, the Borough Administrator recommends a grant from the Jacob Henry Perkins Trust (hereafter Perkins Trust) on behalf of a Borough resident (M.G.); and

WHEREAS, the Borough Administrator has advised the Borough Council that this Borough resident meets the criteria for a Perkins Trust grant; and

WHEREAS, the Borough Council has determined to approve the request for a Perkins Trust grant in the amount up to \$5,000.00.

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 one-time grant is hereby approved from the Perkins Trust in the amount of \$5,000.00, for the benefit of a Borough resident (M.G.) to be disbursed by the Finance Department on an as needed basis to pay bills, rent, filing fees, living expenses and miscellaneous charges.

R 80-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF SUMMERHILL PARK BY BOY SCOUTS OF AMERICA PATRIOTS PACK 124 FOR AN OVERNIGHT CAMPING EVENT ON JUNE 6TH AND 7TH, 2020

WHEREAS, the Patriots' Pack 124 of Madison has requested permission to use public property Saturday, June 6TH and 7th, 2020, for an overnight camping event; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; and

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WHEREAS, the Patriots’ Pack 124 has submitted a Special Event Permit Application to the Borough and will provide a Certificate of Liability Insurance naming the Borough of Madison as an additional insured; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Patriots’ Pack 124 of Madison is hereby given permission to use Memorial Park, June 6TH and 7th, 2020, for an overnight camping event, subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 81-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SPECIAL EVENT PERMITS TO ALLOW THE USE OF SUMMERHILL PARK AND JAMES PARK BY BOY SCOUTS OF AMERICA TROOP 7 FOR AN OVERNIGHT CAMPING EVENT ON MAY 1ST AT JAMES PARK AND A MULTI UNIT CAMPOREE AT SUMMERHILL PARK, JUNE 20-21, 2020

WHEREAS, the Boy Scouts of America (BSA) Troop 7 of Madison has requested permission to use public property May 1st and June 20-21, 2020, for overnight camping events; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; and

WHEREAS, the BSA Troop 7 will be submitting has submitted a Special Event Permit Applications to the Borough and will provide a Certificate of Liability Insurance naming the Borough of Madison as an additional insured; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that BSA Troop 7 and other BSA Scouting Units are hereby given permission to use James Park, May 1st and Summerhill Park June 20-21, 2020, for overnight camping events, subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 82-2020 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE CELEBRATION OF THE 100TH ANNIVERSARY OF WOMEN’S SUFFRAGE

Approved earlier in the council meeting

R 83-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A CONTRACT WITH CLARK CATON HINTZ FOR PROFESSIONAL SERVICES REGARDING MADISON MASONIC TEMPLE

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WHEREAS, the Borough Administrator has recommended execution of a professional services contract with Clark Caton Hintz, be made regarding professional grant application services for the Borough of Madison and the Madison Masonic Temple pursuant to a written proposal from Clark Caton Hintz dated February 3, 2020; and

WHEREAS, such services constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a); and

WHEREAS, Clark Caton Hintz, has submitted to the Borough Purchasing Agent, the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, this contract award is expressly contingent upon authorization from the Madison Open Space Advisory Committee; and

WHEREAS, funds are available in the Open Space Trust Fund, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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 Clerk are authorized to execute on behalf of the Borough a professional services contract with Clark Caton Hintz, for professional grant application services for the Borough of Madison/Madison Masonic Temple, in an amount not to exceed \$6,470.00 in a form acceptable to the Borough Attorney.
2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 84-2020 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING FRANCES BOARDMAN TO THE POSITION OF ADMINISTRATIVE SECRETARY FOR THE UTILITY ADVISORY COMMITTEE

BE IT RESOLVED by the Borough Council of the Borough of Madison that Frances Boardman is hereby appointed to the position of Administrative Secretary for the Utility Advisory Committee, at a stipend of \$1,125.00 for 2020.

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

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supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Current Fund	\$403,449.58
General Capital Fund	43,821.00
Electric Operating Fund	83,732.45
Electric Capital Fund	0.00
Water Operating Fund	41,839.15
Water Capital Fund	41,601.93
Trusts	<u>6,752.52</u>
Total	<u>\$621,196.63</u>

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

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

Nays: None

NEW BUSINESS

Mayor Conley announced the following appointments to the Community Solar Committee and requested Council confirmation:

Mayor Robert H Conley (BME)
Councilwoman Rachel Ehrlich
Claire Whitcomb - Madison Environmental Commission
Kathleen Caccavalle and Peter Fried - Sustainable Madison Committee
Tom Haralampoudis, past member of the Environmental Commission
Borough Administrator Ray Codey
Chief Financial Officer Jim Burnet
Borough Engineer Bob Vogel
Communications Specialist Michael Pellessier

Mrs. Vitale moved confirmation of the foregoing appointments. Ms. Baillie seconded the motion, which passed with a unanimous voice call vote recorded.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved February 24, 2020 (EO)