

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

February 27, 2023 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 27th day of February, 2023. 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 12, 2023. 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:

John F. Hoover
Rachel F. Ehrlich
Robert Landrigan
Eric Range
Thomas Haralampoudis

Absent: Debra J. Coen, excused

Also Present:

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

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Hoover moved:

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

MINUTES FOR APPROVAL (1)

February 13, 2023

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

CONTRACT MATTERS (3)

LABOR NEGOTIATIONS UPDATE

MASONIC LODGE

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HEALTH SERVICES

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

POTENTIAL LITIGATION MATTERS (1)

GIRALDA FARMS

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

LITIGATION MATTERS (1)

DREW UNIVERSITY

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

Seconded: Ms. Coen

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 the passing of Madison resident Raymond Arthur Arciszewski.

APPROVAL OF MINUTES

Mr. Landrigan moved approval of the *Executive Minutes of February 13, 2023*. Mr. Hoover seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Ehrlich moved approval of the *Regular Meeting Minutes of February 13, 2023*. Mr. Hoover seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley noted that the Trustees of the Madison Masonic Lodge have decided to list their property on Main Street for sale, and noted the disappointment of the Borough as grant money has been applied for and a lease signed for use of the building. Mayor Conley also noted Scout troops that have visited Borough Hall.

REPORTS OF COMMITTEES

Community Affairs

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

The Downtown Development Commission will hold its next on Thursday, March 16, at 7:15 p.m. in the Hartley Dodge Memorial Building, Committee Room, 2nd Floor. The public is invited to attend. May Day will now be called Madison Green & Clean. It will take place on Saturday, April 29th, from 9:00 to 3:00 pm. The event will be relatively similar, but we will enhance the format to focus on environmental and Green initiatives. At their regular monthly meeting last Thursday, the DDC decided to continue the Madison Farmers Market on Thursdays, from 1:00-6:00 p.m., at Dodge Field for the 2023 season and look to plan to move the market to Saturday mornings in one of the municipal parking lots on Kings Road for the 2024 season.

The Chamber of Commerce will host the Hearts & Roses Scavenger Hunt will continue through Friday, March 10th. This is a free, month-long, fun family activity. The 2023 Taste of Madison is scheduled for Monday, April 24th, at Brooklake

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Country Club. Tickets are available for pre-purchase at Gary's Wine & Marketplace or GarysWine.com. Search for Shelly, the Easter Egg will begin March 17th through March 31st. Easter Fun Fest is Saturday, April 1st. Activities at the Madison Community Arts Center include the April 1 music festival plans with the Drew University Music Society. The Film Society of Summit has made a long-term commitment to feature movies at the Center. Planned for Saturday, March 11th, at 7 pm is Corsage, directed by Maggie Kreutzer, and on Saturday, March 25, a showing of The Quiet Girl, directed by Colm Bairread. Screenings are not limited to Society Members; the general public is invited to attend. Don't Close Your Eyes: Ukrainian Artists Respond to the War opened last Friday. This exhibition is a series of drawings and paintings by artists living in Ukraine, and the show will be on display until April 3. A reception with food and drink will be held on March 3rd from 5-8 p.m. Mahjong Tuesdays have become very popular. The Madison Seniors running the event invite anyone, regardless of age and skill, to come and learn/play Mahjong.

Finance and Borough Clerk

Ms. Coen, Chair of the Committee, absent.

Public Works and Engineering

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

Ms. Ehrlich noted tonight's meeting is the fifth meeting regarding the 2023 municipal budget. Council will hear from the Department Heads and a review of the proposed budget will take place at the March 13, 2023 Council meeting, with introduction scheduled for March 27th. The Parks Department has finished refurbishing the old Dodge Field bathrooms and will be working on the Lucy D field house bathrooms next. Public Works is working with Zach Ellis on planning for spring field use and which sports may get an early start this year, due to the weather. Next week starts Yard Waste pick up and residents should check Rosenet.org for details on collections. The Roads Department has been out doing pot hole and patch work and installed approx. 30 tons last month. The Shade Tree Management Board (STMB) reports that the Emerald Ash Borer continues to take its toll in Madison. Last year the STMB surveyed dead and dying trees in Summerhill Park and initiated the removal of any dangerous trees along the paths. They were mostly ash trees due to the emerald ash borer insect. Recently, a similar survey was conducted at Memorial Park and Parkside Park. At Memorial Park, 124 trees, adjacent to the paths have been marked with an orange ribbon for removal. Again, ash trees are the dominant tree species which are dead or dying in both parks. The Memorial Park tree removals will follow a 3-year program, with the largest being removed this year and the remaining ones removed in 2024 and 2025. In Parkside Park, 51 dangerous trees were also marked, and will be removed this year. The Maintenance line item in the STMB budget is the largest due to the need to remove so many public ash trees and continues to increase. It is \$135,000 which is 70% of the STMB budget - this includes removal and pruning of all types of public trees, but again, removing ash trees is the main reason why costs are increasing. 2022 statistics from the Private Tree Protection ordinance mirrors what is happening with public trees in that dead or dying ash trees are the number one species being removed at a substantial cost to residents. Madison is developing a more ambitious public tree replacement program but some of the large ash trees can never be replaced. Residents should make every effort to maintain the trees they have and plant new native hardwoods - a list can be found on the Shade Tree Board's website. Madison's arborist, Rich Wolowicz, is hopeful that the ash removals will peak in this and next year and then decline in numbers.

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Utilities

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

On Friday, February 10th at 7:08 pm, the Stand-by Crew was called out to 6 Douglas Avenue due to a transformer making a load buzzing sound. The crew discovered there was a bad connection on the primary tap at the transformer. On Sunday, February 12th at 8:05 am, the Stand-by Crew was called out to 9 Spring Garden Drive for ½ power. The power issue was determined to be an inside problem on the homeowner's side. On February 18th at 6:40 am, the Stand-by Crew was called to 102 Greenwood Avenue for partial power. The crew replaced the connectors at the pole. On Monday, February 20th at 11:40 am, the Stand-by crew responded to an Emergency Mark-Out Request to search for a gas leak at 25 Grove Street. The Department is continuing to replace the Victorian Lamp Post lights with the new LED replacement kits. Currently they are working at the Waverly Place Parking Lot. The Water Department replaced a fire hydrant on Howard Street. The new replacement hydrant is the "safety breakaway type". The older style hydrant was found to be inoperable, due to its age, and normal wear and tear, during the annual hydrant flushing program. Bids for the Well B refurbishment project went out last week. The Well House Building, Roofing, and Back-up Generator will all be updated. The Well itself will also be redeveloped.

Public Safety

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

On this upcoming Friday March 3, 2023, the Madison Police Department will be hosting "Coffee with a Cop" at The Waverly Restaurant on Waverly Place. This event bring our officers and community together to discuss and learn more about each other. We hope to see you there. The Police Department and members of the borough government and Madison Sustainable Committee have met to address the issue of excessive idling. In the near future, the Department will be passing out educational information to drivers throughout town at problem areas. Some of the problem areas that have been identified are Madison Train Station, Madison Plaza at 300 Main Street, and all school locations in town. From the Fire Department, an AFG Grant application was submitted for needed equipment. The Fire Department has purchased two "Safety-Plugs" for use on EV's. This device, when activated and plugged into the charging port of an EV, puts the vehicle in PARK. It prevents the vehicle from moving if left in Drive and the accelerator pedal is accidentally depressed while the vehicle is still turned on. Two of our new Volunteer Firefighters have started their training at The Morris County Fire Academy. Volunteer Firefighters are desperately needed. Please go www.MadisonFD.com for more information on how to join and the requirements.

Health

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

Mr. Haralampoudis noted that Amy Monaco, Health Officer has resigned, with Sarah Perramont stepping in the interim. The Health Department is planning an animal census for this summer. More information will be provided. The Health Department is holding Blood Pressure Screening Clinics on the last Friday of each month. No appointment is necessary. Test kits for the COVID -19 virus are available at the Health Department.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated February 16, 2023 from Damiaco M. Fracasso, Esq., praising the Joint Municipal Court, how well it functions and the efficient staff.

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Email dated February 21, 2023 from Corinne Brown, supporting the adoption of a Climate Action Plan.

INVITATION FOR COMMENT (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 Meeting Moderator, each person give his/her name and address in an audible tone of voice, for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Amy Chase; Niles Avenue, offered support for Resolution 90-2023, for the Memorial Park Trail Construction Rebid.

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

AGENDA DISCUSSIONS

02/27/2023-1 2023 MUNICIPAL BUDGET HEARING – DEPARTMENT HEADS
Russ Brown, Construction Code Official, provided a recap of 2022 Building Department activity, noting the department has three full-time and five part-time employees. Mr. Brown also noted upcoming projects in both Chatham Borough and Madison. Police Chief John Miscia provided information regarding Police Department divisions, organization and annual statistics. Chief Miscia noted accomplishments and goals, including increases in motor vehicle stops, summons and arrests. An Officer of the Year Award has been established this year, given to an outstanding officer. Chief Miscia's goals for 2023 include increased community relations and events, shared services and training for mental health calls. Fire Chief Louie DeRosa noted 2022 statistics and accomplishments and 2023 goals, including increased recruitment of volunteers and replacement of two firefighters, Chief DeRosa noted manpower will effect insurance ratings. Library Director Lynn Favreau explained 2022 activities at the Library and goals for 2023, including the Construction and abatement projects for the library. Engineer Robert Vogel discussed 2022 accomplishments and 2023 capital projects, including completed and those planned for this year. Mr. Vogel noted 700 land use applications received and processed in 2022, and noted the department anticipates the same activity in 2023. Mr. Vogel thanked the Land Use staff for their efforts.

ADVERTISED HEARINGS

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on February 13, 2023, 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 15-2023 ORDINANCE OF THE BOROUGH OF MADISON SUPPLEMENTING ARTICLE 195 OF THE BOROUGH CODE TO ESTABLISH A MUNICIPAL RENTAL REHABILITATION PROGRAM

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WHEREAS, the Borough of Madison and the Fair Share Housing Center previously executed a Settlement Agreement dated August 12, 2020; and

WHEREAS, the Borough acknowledged a Rehabilitation Obligation of twenty-one (21) units in said Settlement Agreement; and

WHEREAS, the Borough may satisfy that obligation through continued participation in the Morris County Rehabilitation Program, coordination with the Madison Housing Authority (MHA) and other public agencies for the rehabilitation of affordable housing units and by the creation herein of a Municipal Rental Rehabilitation Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Article 195 of the Borough Code is hereby supplemented to add a new section Article 195-50 entitled “Madison Municipal Rental Rehabilitation Program” to be implemented through the attached program guidelines as they may be amended and/or modified hereafter with funding to be allocated for this purpose from the Municipal Affordable Housing Trust Fund.

SECTION 1: See attached guidelines that may be amended and/or modified hereafter.

SECTION 2: If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3: In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Madison, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Borough of Madison are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4: After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Madison for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64.

SECTION 5: This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

Mayor Conley opened up the public hearing on Ordinance 15-2023. Since no member of the public wished to be heard, the public hearing was closed.

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Mr. Hoover moved that Ordinance 15-2023, which was read by title, be finally adopted. Ms. Ehrlich seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

Mayor Conley declared Ordinance 15-2023 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 16-2023
ORDINANCE OF THE BOROUGH OF MADISON ADOPTING AN
AMENDED REDEVELOPMENT PLAN IN ACCORDANCE WITH N.J.S.A.
40A:12A-7**

WHEREAS, on August 22, 2011, the Mayor and Council adopted Resolution No. 192-2011 which determined that the property located at 33 Green Village Road was an area in need of redevelopment as defined in N.J.S.A. 40A:12A-3(hereafter the “GVRS Redevelopment Area”); and

WHEREAS, pursuant to Ordinance 32-2011, the Mayor and Council adopted a plan for redevelopment of the GVRS Redevelopment Area (the “GVRS Redevelopment Plan”); and

WHEREAS, pursuant to Ordinance 58-2014 the Borough adopted an amendment to the GVRS Redevelopment Plan, which superseded the aforementioned plan adopted pursuant to Ordinance 32-2011 and Ordinance 38-2014; and

WHEREAS, the amendment to the Green Village Road Special Use Area Redevelopment Plan expands the permitted non-residential uses on the ground floor of the northern-most building fronting Kings Road in the sub-zone II to now allow administrative and professional offices and medical offices; and

WHEREAS, on February 7, 2023, the Madison Planning Board voted to recommend the attached amendment to the GVRS Redevelopment Plan (the “Amended GVRS Redevelopment Plan”)and directed its planner, Susan G. Blickstein, to transmit that plan to the Mayor and Council for adoption, pursuant to N.J.S.A. 40A:12A-7; and

WHEREAS, the proposed Amended GVRS Redevelopment Plan meets all of the requirements of N.J.S.A. 40A:12A-7; and

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WHEREAS, the area governed by the Amended GVRS Redevelopment Plan is the same as defined in Resolution No. 192-2011.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, that the Amended GVRS Redevelopment Plan prepared by Susan G. Blickstein, AICP/PP, PhD as amended and revised through February 2023 is hereby adopted and it shall replace and supersede the previous redevelopment plans adopted by Ordinance 32-2011, Ordinance 38-2014 and Ordinance 58-2014.

Mayor Conley opened up the public hearing on Ordinance 16-2023. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 16-2023, which was read by title, be finally adopted. Mr. Range seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis
Nays: None
Absent: Ms. Coen

Mayor Conley declared Ordinance 16-2023 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 17-2023
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$40,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE MEMORIAL PARK TRAIL IMPROVEMENTS – PHASE I**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$40,000.00 from the General Capital Improvement Fund for the Memorial Park Trail Improvements – Phase 1 project; 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 \$40,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$40,000.00 from the General Capital Improvement Fund for the Memorial Park Trail Improvements – Phase 1 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:

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SECTION 1: The amount of \$40,000.00 is hereby appropriated from the General Capital Improvement Fund for the Memorial Park Trail Improvements – Phase 1 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.

Mayor Conley opened up the public hearing on Ordinance 17-2023. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 17-2023, which was read by title, be finally adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

Mayor Conley declared Ordinance 17-2023 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 18-2023

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$125,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE 2023 ACCESSIBLE PLAYGROUND PROJECT AT DODGE FIELD

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$125,000.00 from the General Capital Improvement Fund for the 2023 Accessible Playground project at Dodge Field; 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 \$125,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$125,000.00 from the General Capital Improvement Fund for the 2023 Accessible Playground project at Dodge Field.

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 \$125,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2023 Accessible Playground project at Dodge Field.

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

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

Mayor Conley opened up the public hearing on Ordinance 18-2023. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Ehrlich moved that Ordinance 18-2023, which was read by title, be finally adopted. Mr. Range seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

Mayor Conley declared Ordinance 18-2023 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 COMMENT (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 Meeting Moderator, each person give his/her name and address in an audible tone of voice, for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Kathleen Caccavale; Central Avenue, noted support for protection of the Drew Forest from surrounding towns including Parsippany.

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

INTRODUCTION OF ORDINANCES - 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.

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

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

R 87-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO BEN SCHAFFER RECREATION, INC. OF LAKE HOPATCONG, NEW JERSEY FOR SURFACING INSTALLATION AT THE 2023 ACCESSIBLE PLAYGROUND PROJECT

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WHEREAS, the Borough of Madison desires to award a contract for surfacing installation at the 2023 Accessible Playground project at Dodge Field from an authorized vendor under the Educational Services Commission of ESCNJ/AEPA-21C; and

WHEREAS, the purchase of goods and services through County agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq; and

WHEREAS, Ben Schaffer Recreation, Inc. of Lake Hopatcong, New Jersey has been awarded Educational Services Commission of NJ ESC Co-op #65MCECPS – ESCNJ 20/21-22; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for area surfacing work at the accessible playground in the amount of \$186,892.50; and

WHEREAS, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$186,892.50 for this purpose in account T03-56-851-014, or any other account deemed appropriate 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 contract for surfacing installation at the accessible playground by Ben Schaffer Recreation, Inc., at a total price not to exceed \$186,892.50 is hereby approved under the Educational Services Commission of NJ ESC Co-op #65MCECPS – ESCNJ 20/21-22.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Ben Schaffer Recreation, Inc. for surfacing installation at the accessible playground at a total price not to exceed \$186,892.50, in a form acceptable to the Borough Attorney.

R 88-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF PUBLIC PARKING LOT NUMBER ONE BY THE ROTARY CLUB OF MADISON FOR A PUBLIC SHREDDING EVENT ON APRIL 22, 2023

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number one on Saturday, April 22, 2023 between the hours of 8:00 a.m. and 12:00 p.m. for a public shredding event; and

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

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WHEREAS, the Rotary Club has submitted a Special Event Permit Application to the Borough as well as 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 the Rotary Club of Madison is hereby given permission to hold a public shredding event at Madison public parking lot number one, on April 22, 2023, between the hours of 8:00 a.m. and 12:00 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 89-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AN EXTENSION OF A CONTRACT FOR JANITORIAL SERVICES WITH MAINTENANCE MART, INC.

WHEREAS, the Purchasing Agent has recommended that the Borough Council authorize an extension of a contract for janitorial services at the Water and Electric Building, Police Department and Community Arts Center with Maintenance Mart, Inc. for an additional one-year period through February 28, 2024 and

WHEREAS, the Borough Administrator recommends that the Council approve the extension of the contract with Maintenance Mart, Inc.; and

WHEREAS, this extension is expressly subject to adequate funding for this purpose in the 2023 municipal budget.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute an extension of the contract for janitorial services with Maintenance Mart, Inc. for one year at the price set forth in the current contract and vendor proposal.

R 90-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR THE MEMORIAL PARK TRAIL CONSTRUCTION - REBID TO CLARK MOYNIHAN LANDSCAPING & CONSTRUCTION, LLC

WHEREAS, the Borough of Madison publicly advertised for bids for the Memorial Park Trail Construction Rebid in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Qualified Purchasing Agent has recommended that the Borough Council award a contract to Clark Moynihan Landscaping and Construction

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for the Memorial Park Trail Construction – Rebid in an amount not to exceed \$276,764.48.00 total lump sum based bid; and

WHEREAS, the Chief Financial Officer has attested that funds are available for this purpose in ordinances 28-2022 and 17-2023.

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 Memorial Park Trial Construction - Rebid is hereby awarded for the base bid to Clark Moynihan Landscaping & Construction, LLC, in an amount not to exceed \$276,764.48.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with Clark Moynihan Landscaping & Construction, LLC, in a form acceptable to the Borough Attorney.

R 91-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION FOR ARCHITECTURAL PLANS TO RESTORE THE HARTLEY DODGE MEMORIAL SLATE ROOF, INTEGRATED ROOF DRAINAGE SYSTEM, CLOCK TOWER, EXTERIOR MASONRY AND BRONZE ENTRY DOORS

WHEREAS, the governing body of the Borough of Madison desires to further historic preservation through a grant from the Morris County Historic Preservation Trust Fund to prepare architectural plans to restore the Hartley Dodge memorial (HDM) slate roof, integrated roof drainage system, clock tower, exterior masonry and bronze entry doors; and

WHEREAS, the Hartley Dodge Memorial (HDM) is the history building given to the residents of Madison by Geraldine Rockefeller Dodge for use as the Borough of Madison municipal building.

NOW THEREFORE BE IT RESOLVED, the governing body authorizes the submission of a grant application and the Mayor and Borough Clerk are authorized to execute a grant agreement with Morris County. The Borough also certifies to the availability of any required matching funds, understanding that the required match will be approximately \$46,160.00.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their

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successors in said titles are authorized to sign the grant agreement and any other documents necessary in connection therewith:

Robert H. Conley, Mayor

Raymond M. Codey, Borough Administrator

Elizabeth Osborne, Borough Clerk

R 92-2023 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SUBMISSION OF A SUSTAINABLE JERSEY GRANT APPLICATION BY THE SUSTAINABLE MADISON ADVISORY COMMITTEE TO SUSTAINABLE JERSEY

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Madison strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Madison is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program.

THEREFORE, the Borough Council of Madison has determined that Madison should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Council of the Borough of Madison, of the County of Morris, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

R 93-2023 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 2023.

R 94-2023 RESOLUTION OF THE BOROUGH OF MADISON AWARDDING CONTRACT TO ASPLUNDH TREE EXPERT, LLC OF CEDAR KNOLLS, NJ FOR ELECTRIC LINE CLEARANCE SERVICES

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WHEREAS, the Borough of Madison publicly advertised for bids for electric line clearance for 2023 (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, Asplundh Tree Expert, LLC submitted the lowest bid in the amount of \$190.00 per hour for the 2023 Electric Line Clearance bid ; and

WHEREAS, the Qualified Purchasing Agent and the Borough Attorney have recommended that the Contract be awarded to Asplundh Tree Expert, LLC, in the amount of \$190.00 per hour, not to exceed a total cost of \$100,000.00 per year with the contract for 2023 and any future year extension contingent on funding availability; and

WHEREAS, the Borough reserved the right in the bid documents to extend the contract for one (1) additional year; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$190.00 per hour for this purpose.

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

1. The contract for electric line clearance for 2023 is hereby awarded to Asplundh Tree Expert, LLC, based upon its bid in the amount of \$190.00 per hour, not to exceed a total cost of \$100,000.00 per year, with the contract for 2023 and any future year conditioned on availability of funding.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Asplundh Tree Expert, LLC, in a form acceptable to the Borough Attorney.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Hoover, seconded by Ms. Coen and carried, the following vouchers of the Borough of Madison were approved for payment, and the supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Current Fund	\$7,935,130.12
General Capital Fund	95,981.87
Electric Operating Fund	185,401.41
Electric Capital Fund	3,631.86
Water Operating Fund	26,098.81
Water Capital Fund	0.00
Trusts	<u>35,393.64</u>
Total	<u>\$7,741,637.71</u>

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

Yeas: Mr. Hoover, Ms. Ehrlich, Mr. Landrigan, Mr. Range, Mr. Haralampoudis

Nays: None

Absent: Ms. Coen

NEW BUSINESS

Mayor Conley announced the following appointment and requests Council confirmation:

ZONING BOARD OF ADJUSTMENT

Unexpired four-year term through December 31, 2023

Douglas Osborne, Lewis Drive, Regular member

Unexpired two-year term through December 31, 2023

Adrienne Novak, East Lane, Alt. member #1

UTILITY ADVISORY COMMITTEE

Unexpired three-year term through December 31, 2023

John T. Hoover, Central Avenue, Regular member

PATRIOTIC CELEBRATIONS COMMITTEE

One-year term through December 31, 2023

Bruce Simmons, Regular member

Janice Corte, Regular member

Ms. Ehrlich moved confirmation of the foregoing appointments. Mr. Range 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 10:25 p.m.

Respectfully submitted,

Elizabeth Osborne

Borough Clerk

Approved March 13, 2023 (EO)