

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

March 12, 2018 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 12th day of March, 2018. 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 11, 2018. 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
John F. Hoover

Absent:

Benjamin Wolkowitz, excused
Patrick W. Rowe, excused
Maureen Byrne, excused

Also Present:

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

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)

February 26, 2018

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

CONTRACT MATTERS (1)

34 WALNUT STREET, LLC

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

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PUBLIC SAFETY MATTER (1)

BOARD OF EDUCATION UPDATE AND SECURITY

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

PERSONNEL MATTER (3)

ACTING ELECTRIC UTILITY SUPERINTENDENT

COMMUNICATIONS & TECHNOLOGY COORDINATOR

ELECTRIC UTILITY LINEMAN

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

Seconded: Ms. Baillie

Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

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

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of February 26, 2018**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

Ms. Baillie moved approval of the **Regular Meeting Minutes of February 26, 2018**.

Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

EMPLOYEE OF THE MONTH FOR MARCH:

The Employee of the Month for March is Russ Brown, Construction Official, for his commitment, professionalism and dedication whenever asked for assistance. An example of service beyond the call of duty is his effort, on his own time, to repair a generator at the home of a Madison resident prior to the recent snow storms to insure power to life-saving medical equipment.

PROCLAMATIONS:

Mayor Conley presented a proclamation In Recognition of the Extra Efforts of the Borough of Madison Response Teams during the Recent Storms to Chief Dachisen Fire Chief Louie DeRosa and Director of Public Works Ken O'Brien.

Proclamation
of the
Borough of Madison
In Recognition of the Extra Efforts of the
Borough of Madison Response Teams
During the Recent Storms

Whereas, two serious nor'easters hit New Jersey within the past week; and

Whereas, the wind and rain from the first storm crippled many neighboring towns with extensive blackouts; and

Whereas, the second storm dumped over 20 inches of snow, causing major tree damage and statewide blackouts; and

Whereas, thanks to the dedicated members of the Madison Electric Utility who worked round-the-clock, any loss of power was restored to Madison neighborhoods making Madison one of the first municipalities to have power restored; and

Whereas, Department of Public Work employees worked tirelessly to plow the streets of the Borough so that roads were kept open; and

Whereas, the Madison Police Department, Fire Department and Ambulance Squad did an outstanding job of keeping residents in town safe;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby extend thanks and appreciation to the Borough of Madison Electric Department, Department of Public Works, Police Department, Fire Department and the Madison Volunteer Ambulance Corps for their hard work and dedicated efforts in keeping the residents of the Borough of Madison safe.

Robert H. Conley, Mayor
March 12, 2018

Mayor Conley present a proclamation recognizing International Day of Happiness- Paint the Town Yellow to Whitney Sobala.

Proclamation
of the
Borough of Madison
Proclaiming
International Day of Happiness
Paint the Town Yellow

WHEREAS, first celebrated in 2012, the United Nations adopted a resolution to bring about awareness of the International Day of Happiness, which is observed on March 20th each year to raise awareness of the importance of the pursuit of happiness and well-being; and

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WHEREAS, Depression affects over 18 million adults in any given year, is the leading cause of disability for ages 15-44 and is the primary reason someone dies of suicide resulting in over 38,000 deaths per year making suicide the fourth-leading cause of death for adults between the ages of 18 and 65; and

WHEREAS, the Borough of Madison, Downtown Development Commission, Madison Arts and Culture Alliance, Madison Area YMCA, Short Stories Bookshop & Community Hub and Madison Chamber of Commerce, in collaboration with UMEWE, will hold a town-wide celebration March through May to brighten Madison and shine a light on Depression and Mental Health Awareness Month, which is observed in May, by *Painting the Town Yellow*; and

WHEREAS, the Borough will feature an exhibition of Optimism works by an array of artists featuring International Optimism Yellow with the opening reception scheduled for March 18th from 3:00 p.m. to 5:00 p.m. at the Peg Williams Gallery at Short Stories Bookshop & Community Hub; and

WHEREAS, citizens can make a difference by brightening lives and the community through civic engagement, activities and collaborations and by visiting participating shops and organizations in town throughout the months of March through May; we hereby appoint the following as Honorary Ambassadors of Optimism: Sarah Braverman, Maureen Byrne, Karen Giambra, Sally Lebwohl, Cara Maksimow, Paul Morgan, Jane Quinn, Mia Raho, Gwen Riddick, Barbara Short, Whitney Sobala, Lisa Sprague, Deborah Starker and Melanie Tomaszewski;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim March 20, 2018 as **International Day of Happiness** in the Borough of Madison to increase public understanding of the importance of the pursuit of happiness and well-being and ask residents to show their support by wearing yellow on March 20th.

Robert H. Conley, Mayor
March 12, 2018

REPORTS OF COMMITTEES

Health

Mr. Rowe, Chair of the Committee, absent.

Public Works and Engineering

Mrs. Vitale, Chair of the Committee, made the following comments:
Two recent storms have impeded progress on construction projects. The Central Avenue Water Main replacement project has 2300 feet of new main installed. General Contractor JoMed Construction has progressed west of Fairview Avenue and is heading towards Bardon Street. Sewer cleaning and videotape work by National Water Main Cleaning Company continues. The Prospect Street project final payment of \$43,125 is being processed from NJDOT for the 2016 Municipal Aid project closeout. The Community Development Block Grant application for Community Place Water Main replacement in the amount of \$80,000 has received preliminary approval from Morris County.

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Finance and Borough Clerk

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

In anticipation of the June 5th Primary Election, a reminder that the filing deadline for Nomination Petitions for Municipal Office is Monday, April 2, 2018. Forms are available in the Borough Clerk's Office. The Chief Financial Officer is preparing two required state documents for the municipal budget. The annual municipal budget form and a User friendly budget form. The budget will be introduced at the March 26th Council meeting. The CFO and Administrator have invested \$10 million in 3 and 6 month certificates of deposit after receiving quotes from ten banks. The Health Department continues to review plans for new retail food establishments.. The Health Educator is continuing to build a social media presence on Facebook, Twitter and Rosenet. Additionally, there is an educational display with health information at the Library. Dog and Cat License Renewals are now past due and a \$10 late fee will be imposed in addition to the registration fee. Residents are encouraged to renew their licenses to avoid any additional costs. Three health clinics will be held this spring, including a Men's Cancer Screening, Women's Health Screening and Comprehensive Metabolic Profile Screening. And from Community Affairs, the Director of Business Development is planning for a 'World of Business' event to be held March 20th. The Downtown Development Commission will host the 2018 Taste of Madison, March 19th. This year's annual May Day marks the 20th anniversary of the event and will be held Saturday, May 5th. Tee shirt contest materials have been delivered to the elementary schools. The Chamber of Commerce will once again host a Home Expo to be held Saturday March 24th at the Madison Junior School. And the Chamber will distribute 10,000 new Madison Maps, with information regarding businesses and other information about the downtown area.

Public Safety

Mr. Wolkowitz, Chair of the Committee, absent.

Community Affairs

Ms. Byrne, Chair of the Committee, absent.

Utilities

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

On March 31st long time Madison Auxiliary Police Chief John Granato will be retiring after proudly serving our community for nearly five decades. During the recent snow storm Quinn, the Fire Department had additional career and volunteer personnel man fire headquarters during the storm period. During this period of time the Fire Department responded to 21 calls for assistance. The Electric Department has been extremely busy with storms March 2nd, March 7th and on March 21st. There were over 300 reports of incidents involving the Electric Utility, calls for downed wires and trees, and limited power outages,. For the Water Department, Mr. Hoover noted his visits to all wells and towers in the system and Mr. Hoover encouraged Council members to do the same.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated March 9, 2018, from Mine Hill Mayor Sam Morris to Governor Phil Murphy regarding recent power outages.

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INVITATION FOR DISCUSSION (1 of 2)

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

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

AGENDA DISCUSSIONS

03/12/2018-1 BOARD OF EDUCATION UPDATE AND SECURITY –School Superintendent Mark Schwarz and Police Chief Darren Dachisen addressed the Mayor and Council to discuss improved strategies for school safety. Mr. Schwarz noted a meeting with Police personnel to improve safety measures including improved cameras, looking at threats from outside the school, fortifying the school buildings, and increasing visitor screening.

03/12/2018-2 SHADE TREE MANAGEMENT BOARD
Chairman Gene Cracovia presented a report from the Shade Tree Management Board's regarding past activities and future plans including replacing damaged trees, maintaining a tree inventory, an active pruning program and an Ash Tree program. Educating residents continues as well as plans for an arboretum in Summerhill Park.

03/12/2018-3 MARCH FOR OUR LIVES RALLY
Mayor Conley announced a community send off rally to be held on Saturday, March 24, 2018 for the nationwide March for Our Lives Rally to end gun violence. The rally will begin at 8:30 a.m. at the Hartley Dodge Memorial Plaza. Speakers will include students, teachers, local religious leaders, and our State Assemblyman, John McKeon.

Resolution 94-2018 is listed on Consent Agenda.

03/12/2018-4 LAND DEVELOPMENT AMENDMENTS
Ms. Baillie noted two new ordinances amending the land use regulations including a new requirement for a restoration bond and a Technical Coordinating Committee 'TCC' review checklist to deem application complete.

Ordinances 12-2018 and 13-2018 are listed for Introduction.

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 February 26, 2018, 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 9-2018
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$30,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR
PURCHASE OF TWO (2) UTILITY TRUCK BODIES AND ACCESSORIES**

WHEREAS, the Acting Electric Utility Superintendent has recommended that the Borough appropriate \$30,000.00 from the Electric Capital Improvement Fund for the purchase of two (2) utility truck bodies and accessories; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$30,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the Electric Capital Improvement Fund for the purchase of two (2) utility truck bodies and accessories.

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

SECTION 1: The amount of \$30,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of two (2) utility truck bodies and accessories.

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 9-2018. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 9-2018, which the Borough Clerk read by title, be finally 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. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

Mayor Conley declared Ordinance 9-2018 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 10-2018
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$200,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND
FOR THE PURCHASE OF UTILITY METERS**

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WHEREAS, the Chief Financial Officer has recommended that the Borough appropriate \$200,000.00 from the Electric Capital Improvement Fund for the purchase of utility meters and accessories; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$200,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$200,000.00 from the Electric Capital Improvement Fund for the purchase of utility meters and accessories.

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 \$200,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of utility meters and accessories.

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 10-2018. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 10-2018, which the Borough Clerk read by title, be finally 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. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

Mayor Conley declared Ordinance 10-2018 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 11-2018

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$200,000.00 FROM THE WATER UTILITY CAPITAL FUND RESERVE FOR AUTOMATED METER READING FOR THE PURCHASE OF UTILITY METERS AND ACCESSORIES

WHEREAS, the Chief Financial Officer has recommended that the Borough appropriate \$200,000.00 from the Water Utility Capital Fund Reserve for Automated Meter Reading for the purchase of utility meters and accessories; and

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WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Utility Capital Fund Reserve for Automated Meter Reading in an amount not to exceed \$200,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$200,000.00 from the Water Utility Capital Fund Reserve for Automated Meter Reading for the purchase of utility meters and accessories.

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 \$200,000.00 is hereby appropriated from the Water Utility Capital Fund Reserve for Automated Meter Reading for the purchase of utility meters and accessories.

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 11-2018. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 11-2018, which the Borough Clerk read by title, be finally 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. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

Mayor Conley declared Ordinance 11-2018 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.

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

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 March 26, 2018 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance

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

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

ORDINANCE 12-2018 ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195 OF THE MADISON BOROUGH CODE ENTITLED “LAND DEVELOPMENT” TO CLARIFY AND PROVIDE NECESSARY AMENDMENTS TO CONFORM TO THE MUNICIPAL LAND USE LAW

WHEREAS, the Borough Engineering Department has recommended that the Borough amend Chapter 195, Section 28 of the Madison Borough Code entitled “Improvements” to clarify, update, and amend same to more accurately conform to current statutory requirements and recent amendments to the Municipal Land Use Law regarding the installation and maintenance of certain improvements and the guarantees required for same; and

WHEREAS, the Planning Board has recommended the Mayor and Council that such further amendments be considered as now proposed herein.

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 195-28 of the Madison Borough Code currently entitled “Improvements” is hereby amended as follows:

§ 195-28 Installation of Improvements; Required Guarantees

The following payments, contributions, and requirements shall be applicable to all site plans and subdivisions in addition to other applicable ordinances for any such development as follows:

- a. Before filing of final subdivision plats or recording of minor subdivision deeds or as a condition of final site plan approval or as a condition to the issuance of a zoning permit pursuant to subsection d. of section 52 of P.L.1975, c.291 (C.40:55D-65), the Borough will require and shall accept in accordance with the standards adopted by ordinance and regulations adopted pursuant to section 1 of P.L.1999, c.68 (C.40:55D-53a) for the purpose of assuring the installation and maintenance of certain on-tract improvements, the furnishing of a performance guarantee, and provision for a maintenance guarantee in accordance with paragraphs (1) and (2) of this subsection. In accordance with the Borough ordinance requiring a successor developer to furnish a replacement performance guarantee,

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as a condition to the approval of a permit update under the State Uniform Construction Code, for the purpose of updating the name and address of the owner of property on a construction permit, the Governing Body may require and shall accept in accordance with the standards adopted by ordinance and regulations adopted pursuant to section 1 of P.L.1999, c.68 (C.40:55D-53a) for the purpose of assuring the installation and maintenance of certain on-tract improvements, the furnishing of a performance guarantee, and provision for a maintenance guarantee, in accordance with paragraphs (1) and (2) of this subsection.

(1) (a) The developer shall furnish a performance guarantee in favor of the Borough in an amount not to exceed 120% of the cost of installation of only those improvements required by an approval or developer's agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed, which cost shall be determined by the Borough Engineer, according to the method of calculation set forth in section 15 of P.O.1991, c.256 (C.40:55D-53.4), for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, water mains, sanitary sewers, drainage structures, public improvements of open space, any grading necessitated by the preceding improvements or as otherwise described in Chapter 195-28.1 of the Borough ordinance.

The Borough Engineer shall prepare an itemized cost estimate of the improvements covered by the performance guarantee, which itemized cost estimate shall be appended to each performance guarantee posted by the obligor.

(b) The Borough may also require a performance guarantee to include, within an approved phase or section of a development privately-owned perimeter buffer landscaping, as required by local ordinance or imposed as a condition of approval.

At the developer's option, a separate performance guarantee may be posted for the privately-owned perimeter buffer landscaping.

(c) In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, lot, building, or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate

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guarantee, referred to herein as a “temporary certificate of occupancy” in favor of the municipality in an amount equal to 120% of the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, lot, building, or phase of development and which are not covered by an existing performance guarantee. Upon posting of a “temporary certificate of occupancy guarantee”, all sums remaining under a performance guarantee, required pursuant to subparagraph (a) of this paragraph, which relate to the development, unit, lot, building, or phase of development for which the temporary certificate of occupancy is sought, shall be released. The scope and amount of the “temporary certificate of occupancy guarantee” shall be determined by the zoning officer, municipal engineer, or other municipal official designated by ordinance. At no time will the Borough hold more than one guarantee or bond of any type with respect to the same line item. The temporary certificate of occupancy guarantee shall be released by the zoning officer, municipal engineer, or other municipal official designated by ordinance upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building, or phase as to which the temporary certificate of occupancy relates.

(d) In addition to a performance guarantee required by the Borough ordinance, a developer shall furnish to the municipality a separate guarantee, referred to herein as a “safety and stabilization guarantee”, in favor of the municipality, to be available to the municipality solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that:

(i) site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and

(ii) work has not recommenced within 30 days following the provision of written notice by the Borough to the developer of the Borough's

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intent to claim payment under the guarantee. The Borough shall not provide notice of its intent to claim payment under a “safety and stabilization guarantee” until a period of at least 60 days has elapsed during which all work on the development has ceased for reasons other than force majeure. The Borough shall provide written notice to a developer by certified mail or other form of delivery providing evidence of receipt.

The amount of a “safety and stabilization guarantee” for a development with bonded improvements in an amount not exceeding \$100,000 shall be \$5,000.

The amount of a “safety and stabilization guarantee” for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows:

- \$5,000 for the first \$100,000 of bonded improvement costs, plus
- two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus
- One percent of bonded improvement costs in excess of \$1,000,000

(2) (a) The developer shall post with the municipality, prior to the release of a performance guarantee required pursuant to subparagraph (a), subparagraph (b), or both subparagraph (a) and subparagraph (b) of paragraph (1) of this subsection, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the improvements which are being released.

(b) If required, the developer shall post with the municipality, upon the inspection and issuance of final approval of the following private site improvements by the municipal engineer, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the following private site improvements: stormwater management basins, in-flow and water quality structures within the basins, and the out-flow pipes and structures of the stormwater management system, if any, which cost shall be

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determined according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4).

(c) The term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term.

(d) The Borough shall not require that a maintenance guarantee required pursuant to this ordinance be in cash or that more than 10 percent of a performance guarantee pursuant to the ordinance be in cash. A developer may, however, provide at his option some or all of the maintenance guarantee in cash, or more than 10 percent of a performance guarantee in cash. (C.40:55D-53.3)

SECTION 2: This Ordinance shall take effect upon adoption.

Ms. Baillie moved that Ordinance 12-2018, which the Borough Clerk read by title, be 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. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

ORDINANCE 13-2018 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 195 OF THE BOROUGH CODE, ENTITLED “LAND
DEVELOPMENT” TO CLARIFY AND PROVIDE NECESSARY AMENDMENTS TO
CONFORM TO THE MUNICIPAL LAND USE LAW

WHEREAS, the Planning Board has recommended amending Chapter 195 of the Borough Code, the Madison Land Development Ordinance, in regard the review of applications for development or requests for review submitted to the Planning Board; and

WHEREAS, the Borough Council has considered the proposed amendment to the Madison Land Development Ordinance and wishes to amend the Code as recommended.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 195 of the Borough Code entitled “Madison Land Development Ordinance” shall be amended as follows:

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SECTION 1: Section 195-14, entitled ‘Technical Coordinating Committee’ shall be amended as follows:

I. AMEND Chapter 195. Land Development, Article II. Planning Board, 195-14. Technical Coordinating Committee, to read as follows:

A Technical Coordinating Committee (TCC) shall be established to serve as the Review Advisory Board to review all applications for development or requests for review submitted to the Planning Board. A designee of the Chairperson of the Planning Board shall chair the Committee. The Committee shall include the Board Engineer, Borough Construction Official, Board Planning Consultant, Board Attorney, a representative from the Shade Tree Management Board and, in addition, any member of the Planning Board or any other official as appointed by the Chairperson of the Planning Board whose particular expertise may be required on a specific application or all applications.

A. The TCC shall have the following responsibilities:

- (1) Determine adequacy of application materials provided to address technical standards set forth in this Chapter.
- (2) Determine compliance with the technical standards set forth in this chapter.
- (3) Make recommendations on the design and technical elements of any application.
- (4) Consider and make recommendations regarding waivers of specific Checklist requirements if the proposed development results in minor changes that do not warrant provision of specific items.
- (5) In the case of permitted uses with waiver of site plan details, make recommendations to the Board regarding waiving requirements if the proposed development has secured previous site plan approval, involves normal maintenance or replacement, such as painting or siding, or does not affect existing drainage, circulation, landscaping, lighting, and other considerations of site plan review, with the exception of signage and solid waste disposal.
- (6) Determine whether the project is in a critical area as defined by the Environmental Resources Inventory.
- (7) Recommend whether an Environmental Impact Assessment, Traffic Impact Assessment, or any other special studies should be required.

B. The Committee shall make known its findings through a combination of written correspondence provided in advance of any TCC meeting and through TCC minutes.

SECTION 2: Section 195-17B, entitled ‘Technical Coordinating Committee’ shall be amended as follows:

II. AMEND Chapter 195. Land Development Article III. Development Procedures 195-17B, C and D, as follows:

Amend 195-17B. Content, to read as follows:

B. Content. An application for development shall include all relevant completed Checklist(s) as specified in Schedule III, [1] the items specified in the Checklist(s), and a completed application form including all attachments. _ With the exception of requests for permitted uses with waiver of site plan details (in specific instances only) or for interpretation or appeals of a decision of a Borough Official, all applications shall provide all items specified in Checklist A in Schedule III.

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SECTION 3: Section 195-17C, entitled ‘Technical Coordinating Committee’ shall be amended as follows:

Amend 195-17C. Complete application, to read as follows:

C. Complete application. The administrative officer or his/her designee shall review all applications and accompanying documents required by this chapter to determine whether or not the submission is a valid application for development in accordance with 195-17B. Upon such a finding, the administrative official or his/her designee shall certify the application as being complete and shall so notify the applicant and the TCC. If the application is found to be incomplete, the administrative officer shall indicate the manner in which the application is incomplete, by reference to the specific section or sections of the applicable Checklist(s). The administrative official shall notify the applicant, in writing, of any finding of incompleteness and said specific deficiencies of the application. The application shall be deemed to be complete if a written notification of incompleteness, as provided above, has not been sent to the applicant within 45 days of the submission of the application to the Board. The applicant may request that one or more of the submission requirements be waived, in which event the TCC shall consider the waivers and provide a recommendation to the Planning Board, which shall grant or deny the request within 45 days from the first hearing date before the Board.

SECTION 4: Section 195-17D, shall be amended as follows:

Amend 195-17D. Additional information, to read as follows:

D. Additional information. In its review of the application, the TCC or Planning Board may request additional information after certification as a complete application to correct any information found to be in error and/or submission of additional information not specified in this chapter or any revision to the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application for development have been met.

SECTION 5: Section 195-18, shall be amended as follows:

III. Amend Chapter 195, Land Development Article III, 195-18, Permitted Use with Waiver of Site Plan Details, to read as follows:

- A. Where no physical exterior improvements are proposed on a site occupied by a permitted use, with the exception of signage and solid waste/recycling receptacles, an Applicant may apply for Permitted Use with Waiver of Site Plan Details.
- B. The applicant shall submit the required fee and the requisite application materials itemized in Checklist E for review and consideration by the administrative official for completeness. Upon determination by the administrative official that the application is complete, the applicant shall submit additional copies of all plans as directed by the administrative official, who will then place the item on the TCC agenda.
- C. The TCC shall review the application and determine if any additional details are necessary for formal consideration by the Planning Board, particularly if signage variance relief is triggered.
- D. Where appropriate, the provisions of § 195-22 shall apply.

SECTION 6: Section 195-19, shall be amended as follows:

IV. Amend Chapter 195, Land Development Article III, 195-19, Informal Review, B through D, to read as follows:

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B. Applicants seeking review of a concept plan shall provide twelve copies of the plan and the completed application and the required review fees to the Board Secretary at least 10 days before a regularly scheduled meeting of the TCC. The TCC shall review the application pursuant to the requirements of § 195-14 and shall provide input on the materials to be provided to the Planning Board.

C. After the TCC has reviewed the plan, 15 copies of the concept plan that incorporates any TCC comments shall be submitted to the Planning Board for discussion purposes.

D. The concept plan is a general plan that is neither fully engineered nor surveyed. The plan should be sufficiently detailed to allow the Planning Board to make suggestions on general site design and layout for circulation, stormwater management, location of open space and buffers, building arrangements and to determine how the proposal meets the Borough's development goals and objectives.

SECTION 7: Section 195-20G, shall be amended as follows:

V. Amend Chapter 195, Land Development Article III, 195-20G. Traffic impact statement, to read as follows:

G. Traffic/transportation impact statement.

(1) When required. The Board may require a transportation impact statement as part of preliminary approval if, in the opinion of the Board, the development could have an adverse impact on the road network, pedestrian safety, existing onsite parking, ingress/egress or on-site circulation.

(2) General provisions.

(a) The traffic/transportation impact statement shall be prepared by a New Jersey licensed professional engineer having appropriate experience and background.

(b) All relevant sources of information used in the preparation of said statement shall be identified.

(3) Submission format. All impact statements shall provide a description of the impact and effect of the proposed land development upon all roads that are adjacent to or immediately affected by traffic and shall specifically address the following items:

(a) Existing conditions in the vicinity of the proposed project, including:

[1] Roadway network.

[2] Representative traffic counts, not during holiday or summer periods.

[3] Traffic accident statistics for the most recent three-year period, including all crashes involving pedestrians or cyclists.

[4] Availability/locations of public transportation and on-street/public parking.

[5] Level of service of adjacent roadways.

[6] Existing and proposed off-street parking serving the proposal.

(b) Traffic/parking demand generated by the proposed development including:

[1] Trip generation.

[2] Trip distribution.

[3] Modal split.

[4] Trip assignment.

[5] Level of service under proposed conditions.

[6] Anticipated parking demand based on acceptable industry sources.

(c) Identification of transportation impacts caused by the proposed development.

(d) Explanation of traffic reduction/traffic management plans necessary pursuant to any current federal, state or county requirements, and, where applicable, proposed interaction with appropriate County Transportation Management Areas (TMA).

(e) Recommendations for alleviating or diminishing any possible congestion or disruption to the established traffic or transportation or parking patterns.

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(f) Any other information requested by the appropriate Board reasonably required to make an informed assessment of potential transportation impacts.

SECTION 8: Section 195-21A and B, shall be amended as follows:

VI. Amend Chapter 195, Land Development Article III, 195-21A and 195-21B, to read as follows:

A. Application.

(1) The applicant shall submit the required elements of an application for development, as identified in 195-17.

(2) Upon determination by the administrative official that the application is complete and upon review by the TCC, the Applicant shall submit the requisite number of additional copies of all plans and application materials, and the Board Secretary will place the item on the TCC agenda.

B. Submission requirements.

(1) Submission requirements for subdivision applications are provided in the Checklists in Schedule III.

(2) The Board Secretary, within five business days of the certification of completeness for preliminary approval, shall forward copies of the plat or site plan to the following for review and comment, where appropriate:

- (a) Environmental Commission.
- (b) Borough Fire Department.
- (c) Borough Police Department.
- (d) Borough Water Department.
- (e) Borough Electric Department.
- (f) Borough Public Works Department.
- (g) Borough Historic Preservation Commission.
- (h) Sign and Facade Committee of Downtown Development Commission.

SECTION 9: Section 195-17C, shall be amended as follows:

VII. Amend Chapter 195, Land Development Article III, 195-22A and 195-22B, Preliminary approval of major subdivision and site plan, to read as follows:

A. Application.

(1) The applicant shall submit the required elements of an application for development, as identified in 195-17.

(2) Upon determination by the administrative official that the application is complete and upon review by the TCC, the Applicant shall submit the requisite number of additional copies of all plans and application materials, and the Board Secretary will place the item on the agenda.

B. Submission requirements.

(1) Submission requirements for all application types are provided in the Checklists in Schedule III, specifically Checklist A and Checklist C.[1]

(2) The Board Secretary, within five business days of the certification of completeness for preliminary approval, shall forward copies of the plat or site plan to the following for review and comment, where appropriate:

- (a) Environmental Commission.
- (b) Borough Fire Department.
- (c) Borough Police Department.
- (d) Borough Water Department.
- (e) Borough Electric Department.
- (f) Borough Public Works Department.
- (g) Borough Historic Preservation Commission.
- (h) Madison-Chatham Joint Meeting.

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(i) Sign and Facade Committee of Downtown Development Commission.

(3) The Board shall also have the authority to refer any plat to other agencies or individuals for comment or recommendations.

C. Review. The officials and agencies cited above shall forward their comments and recommendations in writing to the Board within 20 days from the receipt of the plat or site plan or by the date of the scheduled public meeting. In the case of signage, the time periods for review as established in § 195-33.1B, shall apply.

SECTION 10: Section 195-22, shall be amended as follows:

VIII. Amend Chapter 195, Land Development Article III, 195-22.1A and B, Final approval of major subdivision and site plan, to read as follows:

A. Application.

(1) The applicant shall submit a final plat or final plan to the Secretary of the Board within three years after the date of the preliminary approval or any authorized extension thereof.

(2) Upon determination by the administrative official that the application is complete, the applicant shall submit 15 additional copies of all plans, and the Secretary of the Board will place the item on the agenda.

B. Submission requirements.

(1) Submission requirements for final subdivision and site plan approval are provided in Checklist D in Schedule III.

(2) The Board Secretary, within five business days of the certification of completeness of an application for final approval, shall forward copies of the plan or plat to the following officials for review and comment where appropriate:

(a) Environmental Commission.

(b) Borough Fire Department.

(c) Borough Police Department.

(d) Borough Water Department.

(e) Borough Electric Department.

(f) Borough Public Works Department.

(g) Borough Historic Preservation Commission.

(h) Sign and Facade Committee of Downtown Development Commission.

(3) The Board shall also have the authority to refer any plan or plat to other agencies or individuals for comment or recommendations. In the case of signage, the time periods for review as established in § 195-33.1B, shall apply.

SECTION 11: Section 195-22, shall be amended as follows:

IX. Amend Chapter 195, Land Development Article III, 195-22.3A to read as follows:

A. Application

(1) An applicant may apply for variances concurrently with a subdivision or site plan application or file for a variance with the Board of Adjustment where no subdivision or site plan application is required.

(2) The applicant shall submit the required fee and requisite copies each of the application and required submission materials to the Board Secretary for review by the administrative official for completeness.

(3) Upon determination by the administrative official that the application is complete, the applicant shall submit additional copies of all plans as directed by the administrative official, and the Board Secretary will place the item on the agenda.

X. Amend Chapter 195, Land Development Article III, 195-22.5. Checklists, to read as follows:

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No application for development shall be deemed complete unless the items, information and documentation listed for each application Checklist is submitted to the administrative official for the approving Board. A complete Application Form must all be submitted with all required signatures. If any of the required items is not submitted, the applicant must request a waiver and state the reasons for such request in writing. Such written requests for waivers are required for an application to be deemed administratively complete.

XI. Repeal Existing Schedule III and replace with the following:

Checklist A: General Requirements for All Applications for Development.

Ms. Baillie moved that Ordinance 13-2018, which the Borough Clerk read by title, be 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. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

ORDINANCE 14-2018 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$600,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR HARTLEY DODGE MEMORIAL PLAZA SITEWORK IMPROVEMENTS
AND RELATED WORK

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$600,000.00 from the General Capital Improvement Fund for the Hartley Dodge Memorial Plaza Sitework Improvements and related work; 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 \$600,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$600,000.00 from the General Capital Improvement Fund for the Hartley Dodge Memorial Plaza Sitework Improvements and related work.

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 \$600,000.00 is hereby appropriated from the General Capital Improvement Fund for the Hartley Dodge Memorial Plaza Sitework Improvements and related work.

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.

Mrs. Vitale moved that Ordinance 14-2018, 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:

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Yeas: Mrs. Vitale, Ms. Baillie, Mr. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

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. 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. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

R 94-2018 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING GUN CONTROL AND MENTAL HEALTH SERVICES TO PROTECT OUR YOUTH

WHEREAS, a prerequisite to student growth, learning, well-being and success is a safe and secure school environment; and

WHEREAS, children throughout the nation have been negatively affected directly and indirectly by violent crimes involving firearms; and

WHEREAS, military-style assault weapons and large-volume ammunition magazines were used in recent mass killings in schools and other locations; and

WHEREAS, profiles of school shooters illustrate the need for a thorough examination of the care and treatment of the mentally ill and for effective intervention;

WHEREAS, New Jersey has among the strongest gun control laws in the nation and the lowest incidence of gun-related deaths, but protective laws are not in place in many other states or at the federal level; and

WHEREAS, the tragedies of Parkland, Florida, of Newtown, Connecticut, of Columbine High School in Colorado, emphasize the need to address access to firearms and the delivery of mental health services.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Madison, urges President Trump and Congress to identify and implement meaningful action to address access to and ownership of military-style assault weapons and ammunition, the delivery of mental health services, and financial support to ensure a safe and secure school climate; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison supports Governor Murphy's call to end the "epidemic of gun violence that plagues far too many of our communities" and supports enhancements to State law that will provide protection for our schools and communities; and

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BE IT FURTHER RESOLVED, that a copy of this resolution be sent to President Donald J. Trump, U.S. Senator Robert Menendez, U.S. Senator Cory Booker, U.S. Representative Rodney Frelinghuysen, Governor Phil Murphy, State Senator Richard J. Codey, Assembly Representative John McKeon, Assembly Representative Mila Jasey, and the New Jersey League of Municipalities; and

BE IT FURTHER RESOLVED, that the Borough of Madison supports residents who wish to bring change in laws regarding military style weapons and encourages residents to attend the March for Our Lives send off on March 24, 2018 at 8:30 a.m. on the steps of the Hartley Dodge Memorial Building and the March for Our Lives Rally at 11:00 a.m. in Morristown immediately thereafter.

R 95-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACT WITH LAND CONSERVANCY OF NJ TO UPDATE THE OPEN SPACE PLAN

WHEREAS, the New Jersey Department of Environmental Protection Green Acres Program requires that the Borough of Madison update its Open Space Plan every ten years; and

WHEREAS, the Borough Council has agreed to contract with the Land Conservancy of New Jersey (“Land Conservancy”) for an update to the Open Space Plan in an amount not to exceed \$10,000.00; and

WHEREAS, funds are available in Ordinance 8-2018 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 contingently certified by the Chief Financial Officer pending approval of the 2018 budget.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Mayor and Borough Clerk are authorized to execute a professional services contract with the Land Conservancy of New Jersey in accordance with this Resolution, which agreement shall be in a form acceptable to the Borough Attorney.

R 96-2018 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 83-2018 AUTHORIZING ST. BALDRICK’S CHILDREN’S CANCER EVENT AT WAVERLY PLACE ON SUNDAY, MARCH 25, 2018

WHEREAS, Resolution 83-2018 authorized the closing of Waverly Place on Sunday March 25, 2018, for the St. Baldrick’s Children’s Cancer event; and

WHEREAS, due to unforeseen circumstances that prompted the cancellation of the event, the program coordinators have requested a change in the date to Sunday April 29, 2018; and

WHEREAS, the Borough Council agrees with this request.

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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 St. Baldrick's Children's Cancer event is hereby authorized for Sunday, April 29, 2018 from noon to 5:00 p.m. subject to compliance with requests from Borough officials.

R 97-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY PINWHEEL SIGNS FOR THE THURSDAY MORNING CLUB

WHEREAS, the Thursday Morning Club and Prevent Child Abuse-NJ have requested permission to put up temporary pinwheel signs advertising the month of April as Prevent Child Abuse month in Madison; and

WHEREAS, the pinwheel signs would be located at various locations in Madison, commencing on March 13, 2018 and removed by May 4, 2018.

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 request of the Thursday Morning Club and Prevent Child Abuse-NJ to put up temporary pinwheel signs as described herein from March 13, 2018 to May 4, 2018, is approved.

R 98-2018 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING JUSTICE ASSISTANT GRANT AWARD IN THE AMOUNT OF \$15,000.00 FOR BODY WORN CAMERAS AND RELATED EQUIPMENT FOR MADISON POLICE OFFICERS

WHEREAS, the Borough of Madison has applied for and has been awarded a grant in the amount of \$15,000.00 from the Justice Assistance Grant Program through the Department of Criminal Justice, Grant # JAG BWC15-16, for body worn cameras and related equipment for Madison Police officers for the grant award period of January 9, 2017 to January 8, 2018; and

WHEREAS, the balance of the funding for the body worn cameras is the responsibility of the Borough of Madison; and

WHEREAS, the \$15,000.00 grant award will not reduce the funding responsibility of the Borough pursuant to Ordinance 33-2017 which appropriated \$50,000.00 for this purpose.

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 above referenced grant is hereby accepted and that the Mayor, Borough Administrator and the Borough Clerk are hereby authorized to execute grant documents as authorized representatives thereunder, as representatives for the Borough of Madison.

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R 99-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR PURCHASE OF REPLACEMENT BULLETPROOF VESTS TO LAWMEN SUPPLY COMPANY UNDER STATE CONTRACT A81350 IN THE AMOUNT OF \$32,500.00

WHEREAS, the Borough of Madison desires to award a contract for the purchase of replacement bulletproof vests to Lawmen Supply Company of Pennsauken, N. J., under state contract number A81350 in the aggregate amount up to \$32,500.00; and

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

WHEREAS, the Qualified Purchasing Agent has determined that the aggregate cost of those services will exceed \$17,500.00; and

WHEREAS, Lawmen Supply Company has been awarded state contract #A81350 for safety equipment and ammunition; and

WHEREAS, the Police Chief has recommended that the Borough Council utilize this contract for the purchase of replacement bulletproof vests in the aggregate amount not to exceed \$32,500.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in Borough Ordinance 6-2018.

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

1. A contract for the purchase of replacement bulletproof vests is hereby awarded to Lawmen Supply Company under state contract number A81350, at a total aggregate price not to exceed \$32,500.00.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a blanket purchase order and contract to Lawmen Supply Company under state contract number A81350 for the purchase of replacement bulletproof vests at a total price not to exceed \$32,500.00, in a form acceptable to the Borough Attorney.

R 100-2018 RESOLUTION OF THE BOROUGH OF MADISON ESTABLISHING THE 2018-2019 UTILITY DIVIDEND RATES

WHEREAS, pursuant to Ordinance 65-2016, the Borough Council approved an electric utility rate dividend of \$1.5 million as an adjustment over twelve months from May 2018 to April 2019 on each monthly utility statement based on the customer's kilowatt (kwh) consumption each month; and

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WHEREAS, the following dividend rates will be applied as a credit to each billing statement for the period of May 2018 to April 2019 based on kilowatt (kwh) consumption; and

Table 2 - Calculation of Dividend Rate by Class	
Rate Class	2018-19 Dividend \$/kWh
RS-Residential Service – Class 1	\$ 0.0148
GS-D General Service – Class 2	\$ 0.0110
GS-ML Mid Level General Service – Demand-Class 3	\$ 0.0088
GSS- N General Service Non-Demand – Class 4	\$ 0.0157
GSL-DX Large General Service with d – Demand Class 5	\$ 0.0085

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 2018-2019 Utility Dividend rates as listed above are hereby established.

R 101-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR MADISON EDUCATION FOUNDATION 15TH ANNUAL 5K RACE

WHEREAS, the Madison Education Foundation has requested permission to put up temporary signs advertising the Annual 5k Race on May 6, 2018; and

WHEREAS, the signs would be located throughout the Borough, commencing on April 23, 2018 and removed by May 9, 2018; and

WHEREAS, the Borough Administrator has recommended that sign regulations be waived to permit up to twenty five (25) signs be displayed.

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 request of the Madison Education Foundation to put up temporary signs for the Annual 5k Race as described herein from April 23, 2018 to May 9, 2018, is approved.

R 102-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING THOMAS SYCH TO THE POSITION OF APPRENTICE LINEMAN

WHEREAS, the Acting Electric Utility Superintendent has recommended hiring Thomas Sych for the position of Apprentice Lineman in the Electric Utility Department; 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 Thomas Sych is hereby appointed to the position of Apprentice Lineman in the Electric Utility

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Department, effective immediately, to be compensated in accordance with the current Collective Bargaining Agreement for Electric Utility Department Employees at an annual salary of \$58,414.00.

R 103-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING MICHAEL PELLESIER TO THE POSITION OF COMMUNICATIONS & TECHNOLOGY COORDINATOR

WHEREAS, the Qualified Purchasing Agent/Personnel Director recommends the appointment of Michael Pellessier, to the position of Communications and Technology Coordinator, in Administration; and

WHEREAS, the 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, pending completion of a background check and approval from the Administrator and QPA/Personnel Officer, Michael Pellessier is hereby appointed to the position of Communications and Technology Coordinator, in Administration, at an annual salary of \$52,000.00.

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.

Current Fund	\$3,481,301.49
General Capital Fund	0.00
Electric Operating Fund	107,973.69
Electric Capital Fund	0.00
Water Operating Fund	7,528.14
Water Capital Fund	0.00
Trusts	<u>12,182.62</u>
Total	<u>\$3,608,985.94</u>

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

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Hoover

Nays: None

Absent: Mr. Wolkowitz, Mr. Rowe, Ms. Byrne

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

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Elizabeth Osborne
Borough Clerk
Approved April 9, 2018 (EO)