

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

**March 13, 2017 – 6:30 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 13th day of March, 2017. Mayor Conley called the meeting to order at 6:30 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

**STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

The Borough Clerk read the statement pursuant to the Open Public Meetings Act:

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 5, 2017. This Notice was made available to members of the general public.”

**ROLL CALL**

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

Mayor Robert H. Conley

Council Members:

Robert Landrigan  
Carmela Vitale  
Astri J. Baillie  
Benjamin Wolkowitz  
Patrick W. Rowe  
Maureen Byrne

Also Present:

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

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**READING OF CLOSED SESSION RESOLUTION**

Mrs. Vitale moved:

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

MINUTES FOR APPROVAL (1)

February 27, 2017

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

LITIGATION MATTERS (2)

AFFORDABLE HOUSING

GIRALDA TAX OPTIONS

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

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CONTRACT MATTERS (1)

MADISON CHATHAM JOINT MEETING

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

PERSONNEL MATTERS (1)

SENIOR CENTER TRANSITION

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

Seconded: Mr. Landrigan

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 27, 2017**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of February 27, 2017**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

Mayor Conley noted that due to the pending snow storm, Borough Offices will be closed on Tuesday, March 14<sup>th</sup>. Mayor Conley reminded residents to clear sidewalks and fire hydrants after the storm.

**EMPLOYEES OF THE MONTH FOR MARCH:**

Employees of the Month for March are Edna Ierley-Byrne and Helene Corlett of the Madison Senior Center for their commitment and professionalism in sponsoring two T-Cap Days at the Senior Center during which time chemo caps were made for distribution to patients at the Carol Simon Center.

**PROCLAMATIONS:**

Mayor Conley presented the American National Red Cross Month Proclamation to Christy Hodde of the NJ Crossroads Chapter of the American Red Cross.

*Proclamation*  
*of the*

**Borough of Madison**

*Proclaiming*

**AMERICAN RED CROSS MONTH**

*March 2017*

**WHEREAS**, in the Borough of Madison, where we have a long history of helping our neighbors in need, American Red Cross Month is a special time to recognize and thank our Everyday Heroes – those selfless Red Cross volunteers and donors who give of their time and resources to help community members; and

**WHEREAS**, these heroes help families find shelter after a home fire, give blood to help trauma victims and cancer patients, deliver comfort items to military members in the hospital, use their lifesaving skills to save someone from a heart attack, drowning or choking and enable children around the globe to be vaccinated from measles and rubella; and

**WHEREAS**, the American Red Cross depends on local heroes to deliver help and hope during disasters and we applaud our heroes here in the Borough of Madison who give of themselves to assist their neighbors when they need a helping hand; and

**WHEREAS**, across the state, country and around the world, the American Red Cross responds to disasters big and small and in fact, every eight minutes the organization responds to a community disaster, providing shelter, food, emotional support and other necessities to those affected; and

**WHEREAS**, the American Red Cross collects 40 percent of the nation's blood supply, provides 24-hour support to military members, veterans and their families, teaches millions lifesaving skills and through its Restoring Family Links program, connects family members separated by crisis, conflict, or migration; and

**WHEREAS**, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies and our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim March 2017 as **American Red Cross Month** and encourage all residents to support this organization and its humanitarian mission.

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Robert H. Conley, Mayor  
March 13, 2017

Mayor Conley read the National Poison Prevention Week Proclamation and Colorectal Cancer Awareness Month Proclamation.

*Proclamation*  
*of the*

**Borough of Madison**  
*Proclaiming*  
**National Poison Prevention Week**  
**March 19-25, 2017**

**WHEREAS**, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then, this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals and other substances; and

**WHEREAS**, a poison is defined as anything that is taken in the wrong amount, in the wrong way or by the wrong person, therefore, poison centers across the country will focus the public's attention on identifying poisoning hazards at home, as well as learning ways to prevent poisoning emergencies; and

**WHEREAS**, every poisoning is preventable and unintentional poisoning is the leading cause of unintentional injury death in New Jersey and although the majority of reported poisonings involve children five years of age and younger, the majority of poisoning deaths occur in adults aged 20-59; and

**WHEREAS**, drug overdose deaths including prescription pain medicine and heroin remain at epidemic proportions for both New Jersey and the United States and according to the Centers for Disease Control and Prevention (CDC), the majority of drug overdose deaths involve an opioid; and

**WHEREAS**, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Emergency Medicine of the New Jersey Medical School of Rutgers, The State University of New Jersey, provides expert advice, drug information, and poison prevention education to New Jersey residents through the 800-222-1222 Poison Help Hotline and all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year; and

**WHEREAS**, New Jersey poison experts encourage all residents to program the Poison Help Line 800-222-1222 into home, office and cell phones because a rapid response can make a difference in preventing serious injury and saving lives; contact can also be made by chatting ([www.njpies.org](http://www.njpies.org)) or texting ([8002221222@njpies.org](mailto:8002221222@njpies.org)); and

**WHEREAS**, the use of poison center services saves residents both time and money as most cases are managed in the convenience of the caller's home, requiring no hospital visit and residents are urged to use these services as a resource for poison and drug information instead of consulting the internet for information that may not be accurate; and

**WHEREAS**, NJPIES is also involved with the state's efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance and surveillance for clusters of poisonings and their sources;

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**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim the week of March 19-25, 2017 as **National Poison Prevention Week** in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families and their community.

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Robert H. Conley, Mayor  
March 13, 2017

***Proclamation***  
***of the***  
***Borough of Madison***  
  
***Proclaiming***  
**Colorectal Cancer Awareness**  
***MARCH 2017***

**WHEREAS**, colorectal cancer is the third most commonly diagnosed cancer and the second most common cause of cancer deaths for men and women in the United States and New Jersey; and

**WHEREAS**, colorectal cancer affects men and women equally and it is estimated there will be over 140,000 new cases with a death rate of over 50,000; and

**WHEREAS**, every three minutes, someone is diagnosed with colorectal cancer and every ten minutes someone dies from colorectal cancer; and

**WHEREAS**, only 39 percent of colorectal cancer patients have their cancers detected at an early stage; and

**WHEREAS**, the survival rate of individuals who have early stage colorectal cancer is 90 percent which is why there are over one million colon cancer survivors in the United States, however, five percent of those diagnosed later will have cancer spread to other organs; and

**WHEREAS**, if the majority of people in the United States age 50 or older were screened regularly for colorectal cancer, the death rate from this disease could plummet by up to 70 percent; and

**WHEREAS**, colorectal cancer is preventable, treatable, and beatable in most cases; and

**WHEREAS**, the Regional Chronic Disease Coalition along with its partners are encouraging residents to spread the word, get screened for colon cancer and incorporate a healthy diet, including fiber and whole grains, to reduce the risk of developing cancer. They also remind residents to talk to your doctor about getting screened as the vast majority of cancer deaths can be prevented through early detection;

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**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim the month of March 2017 as **Colorectal Cancer Awareness Month** and urge all citizens to get regular screenings to help save lives.

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Robert H. Conley, Mayor

March 13, 2017

### **REPORTS OF COMMITTEES**

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

Mrs. Vitale, Chair of the Committee, made the following comments: The Public Works Department is preparing for the upcoming storm. Public Safety Staff met with Shade Tree and Friends of Shade Tree for various upcoming projects. Installed Banners and Art poles down town as well as new signs on Dehart and Cedar Streets Started working on Baseball and Softball fields for spring sports. The Director met with Soccer and Little League officials to outline field priorities. All sewer stations are running well with no mechanical issues. A broken sewer line at DPW garage was repaired. Cleaned storm inlets in preparation to paving and worked with camera crew on sewer lines various areas of the Borough. All lawn mowers have been serviced and the Gumbuster is ready for downtown.

#### **Public Safety**

Mr. Landrigan, Chair of the Committee, made the following comments: The Fire Department is set and ready for tomorrows anticipated “major” snow event. Manpower and equipment are ready to respond if needed during the snow storm. If you have a fire hydrant on or near your property, please DO NOT pile or plow snow on to it. Once the storm is over, make it accessible from the street by clearing the snow 3 feet around the hydrant. Residents are asked if they have an appliance that has an exhaust discharge pipe on their home that discharges below two feet from the ground to be sure it remains clear once the snow arrives. The Madison Volunteer Ambulance building will be opened as a shelter, should the need arise.

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

Ms. Baillie, Chair of the Committee, made the following comments: Ms. Baillie announced the introduction of the 2017 municipal budget later this evening, noting the process started six months ago, with eight meeting to presenting the budget details. Upon introduction, the document is forwarded to Trenton for approval and can be viewed at the Madison Public Library and on the Borough website. The hearing date is set for April 12<sup>th</sup>. Ms. Baillie thanked Mr. Burnet and Mr. Codey for their efforts.

#### **Utilities**

Mr. Wolkowitz, Chair of the Committee, made the following comments: The Electric Department completed the removal of overhead cables, equipment, and poles on Kings Road at the KRE project and continues repairs to poles and overhead cables on Greenwood Avenue from storm damage. The staff has begun installation of video surveillance equipment at both substations and continues street light repairs.

#### **Health**

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

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The Health Department staff worked with the Bagel Chateau to expedite re-opening after a fire in their building, and continues working on preparing the annual New Jersey State Department of Health Local Health Report for Madison and its contract communities. Madison has a new contract with Cranford to provide health services to that community.

### **Community Affairs**

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

The Senior Center will hold an orientation program announcing the new GoGo Grandparent transportation pilot program. Tri-Town 55+ is subsidizing rides within a 15 mile radius for \$5 one way for the residents of Chatham Borough, Chatham Township and Madison. The Madison Rotary will hold an End Hunger Program at Drew University anyone interested in volunteering contact the Rotary.

## **INTRODUCTION OF THE 2017 BUDGET AND TAX RESOLUTION R 94-2017**

### CAP BANK ORDINANCE

Mayor Conley calls up *Ordinance 11-2017* for first reading and asked the Borough Clerk to read said ordinance by title:

#### ORDINANCE 11-2017

CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.13)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Madison in the County of Morris finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, is estimated to be \$661,857.88 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Madison, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY

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2017 budget year, the final appropriations of the Borough of Madison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased up to 3.5%, amounting to \$661,857.88 and that the CY 2017 municipal budget for the Borough of Madison be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ms. Baillie moved that Ordinance 11-2017, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion.

There was no further Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

### **BUDGET INTRODUCTION**

#### **Statement by Borough Clerk:**

Upon introduction and adoption, the 2017 Budget and Tax Resolution will be published by summary in the Madison Eagle on March 23, 2017 with a public hearing date set for Wednesday, April 12, 2017 at 8 p.m. in the Council Chamber, Hartley Dodge Memorial, 50 Kings Road, at which time and place all interested individuals will have an opportunity to be heard, and there will be consideration for final adoption. A copy of the budget as introduced will be filed with the Madison Public Library and the County Library for public review.

#### **R 94-2017 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING THE 2017 BUDGET AND TAX RESOLUTION**

Ms. Baillie noted several highlights of the proposed budget and thanked Borough officials for their efforts.

Ms. Baillie moved that Resolution R 94-2017, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no further Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

### **COMMUNICATIONS AND PETITIONS – None**

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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**

**03/13/2017-1** 2017 MC CONSTRUCTION GRANT APPLICATION FOR THE HDM ENTRY AND PLAZA RESTORATION AND NJ STATE

Ms. Baillie noted grant submission for restoration of the entry and plaza of the Hartley Dodge Memorial building and ask Council to authorize the application.

Resolution 99-2017 is listed on the Consent Agenda.

**03/13/2017-2** RESIDENTIAL WATER RATE MINIMUM QUARTERLY CHARGE AMENDMENT

Mr. Codey noted a proposed amendment to the Borough Code regarding residential water meter billing methodology to provide that any residential customer whose average quarterly water usage is less than the minimum by 25% would have their bill set at the next smaller meter size for the following year.

Ordinance 12-2017 is 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 27, 2017, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

**ORDINANCE 9-2017  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$440,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND  
FOR PURCHASE OF TWO (2) DOUBLE BUCKET TRUCKS**

**WHEREAS**, the Electric Utility Superintendent has recommended that the Borough appropriate \$440,000.00 from the Electric Capital Improvement Fund for the purchase of two (2) double bucket trucks and related equipment; 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 \$440,000.00 for this purpose; and

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**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$440,000.00 from the Electric Capital Improvement Fund for the purchase of two (2) double bucket trucks and related equipment.

**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 \$440,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of two (2) double bucket trucks and related equipment.

**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 9-2017. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Wolkowitz moved that Ordinance 9-2017, which was read by title, be finally adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 9-2017 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 10-2017  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$200,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
PURCHASE OF PORTABLE POLICE RADIOS**

**WHEREAS**, the Police Chief has recommended that the Borough appropriate \$200,000.00 from the General Capital Improvement Fund for the purchase of portable police radios and related equipment; 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 \$200,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$200,000.00 from the General Capital Improvement Fund for the purchase of portable police radios and related equipment.

**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 \$200,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of portable police radios and related equipment.

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 10-2017. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Landrigan moved that Ordinance 10-2017, which was read by title, be finally adopted. Ms. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 10-2017 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

***INVITATION FOR DISCUSSION (2 of 2)***

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

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

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:

The ordinance scheduled for introduction and first reading tonight has a hearing during the meeting of March 27, 2017 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinance will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 12-2017 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 190 OF THE BOROUGH CODE ENTITLED  
“WATER” TO CHANGE THE BILLING METHOD FOR RESIDENTIAL  
WATER METERS

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**WHEREAS**, the Borough Administrator has recommended that Chapter 190 of Madison Borough Code entitled “Water” be amended to adjust the billing methodology for residential water meters; and

**WHEREAS**, the Borough Council agrees with this recommendation.

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

SECTION 1: Section 190-32, of the Borough Code entitled “Water rates for metered service” is amended to read as follows:

§190-32. Water rates for metered service.

. . .

C. Borough owned residential water meters.

For any residential water customer whose average quarterly usage is less than the minimum usage specified in 190-32 (Article XIII B) of the Borough Code by at least 25% in a calendar year would have their water bill set for the following year at the minimum charge for the next smaller meter size or actual water usage, whichever is greater.

SECTION 2: This Ordinance shall take effect retroactively to January 1, 2017 based on an analysis of 2016 residential water usage with any adjustment/credit taking place in July 2017 and annually thereafter in the first quarter of each year.

Mr. Wolkowitz moved that Ordinance 12-2017, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

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

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

Nays: None

**R 95-2017 SELF-EXAMINATION OF BUDGET RESOLUTION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Madison has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Madison that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

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5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

R 96-2017 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY DRIVER'S PERMIT FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2017

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following livery driver's permit be renewed for the year 2017:

<u>2017 LICENSE NO.</u>	<u>NAME</u>
17-2D	Carmine Fornaro Precise Limousine Transport Service LLC

R 97-2017 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY OWNER'S LICENSE FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2017

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owner's License renewal be approved for the year 2017:

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicles</u>
2017-8L	Carmine C. Fornaro	4 Liveries
2017-9L	Precise Limousine Transport Service LLC	
2017-10L		
2017-11L		

R 98-2017 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN ELIZABETH MIKULEWICZ AS AN INTERN IN THE BOROUGH CLERK'S OFFICE

**WHEREAS**, the Borough Administrator has recommended the appointment of Ms. Elizabeth Mikulewicz, as a part-time unpaid Intern in the Borough Clerk's Office; 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 appointment of

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Ms. Elizabeth Mikulewicz, as a part-time unpaid Intern in the Borough Clerk's Office, is hereby approved.

**R 99-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION FOR THE HARTLEY DODGE MEMORIAL ENTRY AND PLAZA RESTORATION**

**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 for the Hartley Dodge Memorial Entry and Plaza restoration

**NOW THEREFORE BE IT RESOLVED**, the governing body authorizes the submission of a grant application and the Mayor and Borough Clerk to execute a grant agreement with Morris County, and certifies the availability of twenty five (25%) per cent matching funds, for a total amount of \$131,750.00.

**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 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 100-2017 RESOLUTION OF THE BOROUGH OF MADISON AWARDING THE PREVENTATIVE MAINTENANCE/REPAIR OF HVAC EQUIPMENT BID TO RAMAS CLIMATE & REFRIGERATION, LLC OF LIVINGSTON, NEW JERSEY**

**WHEREAS**, the Borough of Madison publicly advertised for the Preventative Maintenance/Repair of HVAC Equipment (the "Contract") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the lowest qualified bid was submitted by Ramas Climate & Refrigeration, LLC of Livingston, New Jersey, in the amount of \$12,000.00 for the base bid for preventative maintenance for the Hartley Dodge Memorial and the Public Safety Complex and \$85.00/hour for emergency services; and

**WHEREAS**, the Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Ramas Climate &

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Refrigeration, LLC of Livingston, New Jersey, in the amount of \$12,000.00 for the base bid and \$85.00/hour for emergency services; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available for this purpose in the Public Works operating budget.

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

1. The contract for the Preventative Maintenance/Repair of HVAC Equipment is hereby awarded to Ramas Climate & Refrigeration, LLC of Livingston, New Jersey, based upon its bid in the amount of \$12,000.00 for the base bid and \$85.00/hour for emergency services.

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

**R 101-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING DIRECTOR OF PUBLIC WORKS KENNETH L. O'BRIEN AS PRINCIPAL PUBLIC WORKS MANAGER**

**WHEREAS**, N.J.S.A. 40A:9-154.6g, et seq. requires municipalities to appoint a Principal Public Works Manager who holds a public works manager certificate issued by the Division of Local Government Services; and

**WHEREAS**, the Borough Administrator has recommended that Kenneth L. O'Brien be appointed the Principal Public Works Manager retroactive to his appointment as Director of Public Works on January 9, 2017; and

**WHEREAS**, the Borough Council is in agreement 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 Kenneth L. O'Brien is hereby appointed Principal Public Works Manager retroactive to his appointment as Director of Public Works on January 9, 2017.

**R 102-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING KAITLIN BERGER OF MADISON TO THE POSITION OF POLICE MATRON IN THE MADISON POLICE DEPARTMENT**

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Kaitlen Berger of Madison is hereby appointed to the position of police matron, effective March 14, 2017.

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Madison, that she be compensated in accordance with the Borough Ordinance establishing the salaries for part-time, police matrons.

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R 103-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A NEW JERSEY HISTORIC TRUST GRANT FOR RENOVATION TO THE EAST WING OF THE HARTLEY DODGE MEMORIAL PROJECT NUMBER 2015.1032

**WHEREAS**, the governing body of the Borough of Madison desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$150,000.00 for the renovation of the East Wing of the Hartley Dodge Memorial.

**NOW THEREFORE BE IT RESOLVED**, the governing body authorizes the Mayor and Borough Clerk to sign the appropriate assurances and acknowledge the certification above; and if awarded a grant, to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement and any other document required to effectuate grant disbursement.

R 104-2017 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 14, 2017 and removed by May 5, 2017.

**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 14, 2017 to May 5, 2017, is approved.

R 105-2017 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN MARC SALINAS AS AN INTERN IN THE ENGINEERING DEPARTMENT

**WHEREAS**, the Borough Engineer has recommended the appointment of Mr. Marc Salinas, as a part-time unpaid Intern in the Engineering 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 the appointment of Mr. Marc Salinas, as a part-time unpaid Intern in the Engineering Department, is hereby approved.

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R 106-2017 R 95-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF FORTY (40) PORTABLE RADIOS FOR THE POLICE DEPARTMENT UNDER NEW JERSEY STATE COOPERATIVE PRICING COUNCIL

**WHEREAS**, the Borough of Madison desires to award a contract for the purchase of forty (40) portable police radios under the New Jersey State Pricing Council program; and

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

**WHEREAS**, Motorola Solutions, Inc. c/o Wireless C & E , of Chester, New Jersey, has been awarded a New Jersey State Pricing Council contract number 83909; and

**WHEREAS**, the Police Chief has recommended that the Borough Council utilize this contract for the purchase of forty (40) portable police radios in the amount of \$199,558.35; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$199,558.35, in Ordinance 10-2017.

**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 forty (40) portable police radios under the new Jersey State Pricing Council program for \$199,558.35 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Motorola Solutions, Inc. c/o Wireless C & E, of Chester, New Jersey, for the purchase of forty (40) portable police radios under the New Jersey State Pricing Council program at a total price not to exceed \$199,558.35, in a form acceptable to the Borough Attorney.

R 107-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A TEMPORARY ACCESS AGREEMENT WITH MADISON COMMON CONDOMINIUM ASSOCIATION FOR BLOCK 401, LOT 3

**WHEREAS**, the Borough of Madison is completing video pipe inspections in the North Street Pump Station sewer service area; and

**WHEREAS**, the Madison Common Condominium Association is located within this service area; and

**WHEREAS**, the Madison Common Condominium Association, in connection with such inspections, will provide access on Block 401, Lot 3, by the Borough of Madison, its employees and contractors to complete such inspections.

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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 Mayor and Borough Clerk are authorized to enter into a temporary access agreement allowing video pipe inspection on Block 401, Lot 3, by the Borough of Madison.

R 108-2017 A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

**WHEREAS**, the Borough of Madison has applied for and has been awarded a grant in the amount of up to \$99,708.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for Remedial Action along with report preparation of the Bayley Ellard Field property;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Madison that the above referenced grant is hereby accepted and the Mayor and Borough Clerk are hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Madison.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

R 109-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF TWO (2) POLICE VEHICLES FROM BEYER FORD OF MORRISTOWN, NEW JERSEY

**WHEREAS**, the Borough of Madison desires to purchase two (2) vehicles for the Police Department from an authorized vendor under Cranford Police Cooperative Pricing Council Contract #47-CPCPS, Item #2; 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**, Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey has been awarded the Cranford Police Cooperative Pricing Council Contract #47-CPCPS, Item #2; and

**WHEREAS**, the Chief of Police has recommended that the Borough Council utilize this contract for the purchase of two (2) police vehicles, and accessory equipment in the amount of \$63,026.42; and

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**WHEREAS**, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$63,026.42 for this purpose in the Police Outside Duty account.

**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 purchase of two (2) police vehicles and accessory equipment from Beyer Ford, at a total price not to exceed \$63,026.42 is hereby approved under the Cranford Police Cooperative Pricing Council Contract #47-CPCPS, Item #2.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Beyer Ford for the purchase of two (2) police vehicles and accessory equipment at a total price not to exceed \$63,026.42, in a form acceptable to the Borough Attorney.

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

On motion by Mrs. Vitale, seconded by Mr. Rowe 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	\$494,895.75
General Capital Fund	21,894.80
Electric Operating Fund	150,781.91
Electric Capital Fund	9,200.00
Water Operating Fund	43,528.64
Water Capital Fund	25,100.00
Trusts	<u>16,542.89</u>
Total	<u>\$761,943.99</u>

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

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

Nays: None

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

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