

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

March 25, 2019 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 25th day of March, 2019. Mayor Conley called the meeting to order at 7:00 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 10, 2019. 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

Patrick W. Rowe

Maureen Byrne

John F. Hoover

Debra J. Coen

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

Mr. Rowe moved:

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

MINUTES FOR APPROVAL (1)

February 25, 2019

March 11, 2019

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

LITIGATION MATTERS (1)

AFFORDABLE HOUSING UPDATE

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

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CONTRACT MATTERS (2)

JOINT MEETING

BOARD OF EDUCATION SERVICE AGREEMENT

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

Seconded: Mrs. Vitale

Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance and singing of “God Bless America” was led by the St Vincent Martyr School Girl Scout Troop.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of February 25, 2019**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of February 25, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Special Budget Meeting Minutes of March 4, 2019**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Executive Minutes of March 11, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of March 11, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

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GREETINGS TO PUBLIC

Mayor Conley presented the following Proclamation:

International Student Community – Drew University

REPORTS OF COMMITTEES

Public Safety

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

For the Police Department, Ms. Baillie reported that Patrol Officer Michael Clancy has completed the field training program and is on solo patrol. The Police Department is seeking help from the public regarding criminal mischief that began March 14th; with unknown actors spray painting graffiti in 18 locations throughout town. Any information may result in a \$1000 rewards from the Morris County Crime Stoppers program. Today, the Police Department and Board of Education presented the 'Every Fifteen Minutes' program to educate high school students of the consequences of driving while impaired or distracted. Chief Dachisen would like to thank the Madison Fire Department, Ambulance Corp Volunteers, members of the Department of Public Works, Atlantic Health, DeFalco Towing, Radio Station WDHA, School Officers Galgano and Downs, as well as Police Officer Glab. The Fire Department responded to garbage truck fire on March 18th at 42 Park Avenue and a brush fire cause by construction materials on March 23rd at 245 Madison Avenue.

Finance and Borough Clerk

Mrs. Vitale, Chair of the Committee, made the following comments:

Mrs. Vitale noted that in anticipation of the June 4th Primary Election, the filing deadline for Nomination Petitions for Municipal Office is April 1, 2019. Forms are available in the Borough Clerk's Office. Voter Registration forms, as well as, Mail in Ballot applications are also available in the Borough Clerk's office or on line at morriselections.org . The Municipal budget will be introduced this evening, having started last August. All presentation regarding the budget are available on the Borough website, as well as the introduced budget document. Mrs. Vitale thanked Mr. Burnet and Mr. Codey for their efforts.

Utilities

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

The Electric Dept. has been performing preventative maintenance at the James Park substation to ensure that our distribution network experiences minimal interruptions of service. On Saturday, March 16th , a windstorm caused an outage on Loantaka Way. The power was restored within two hours. By the end of next week, the new Atlantic Health building at Giralda Farms will be energized. On Saturday, March 23rd the department hosted a tour of the water facility for Drew University Professor Pieretti and her "Water: A Measure of Human Ingenuity and Vulnerability" class. The Water Department reports a new 8" water main on Greenwood Ave. from John Marshall Lane to West End Ave. has been installed by the contractor. The water department has charged the line with water and is awaiting the results of bacteria testing before pressure testing and changing house services from the old main to the new main. This project should be completed in the next few weeks.

Public Works and Engineering

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

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Mrs. Byrne noted the Girls Scouts of America are celebrating their 137 anniversary this year. The Environmental Commission held a second annual Green Forum at Drew University, discussing single use plastics, noting local stores have signage reminding residents to use reusable bags when shopping. The Engineering Department reports that bids were accepted on Thursday for the 2019 Road Improvement Program and Reconstruction of Community Place will be bid in April, and sewer lining in May. A program will be held in the Chase Room of the Public Library regarding Climate Change, sponsored by the Madison Garden Club and the Friends of the Shade Tree Management Board.

Community Affairs

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

The Annual Taste of Madison held Monday March 18th was well attended. May Day will be held on Saturday, May 4th, the art contest for tee-shirts has concluded and the DDC will select a winner soon. The 'Into the Yellow' program will be held May 4th through the 11, 2019. And a new Rose City Summer Festival, sponsored by the DDC will be held Saturday, June 14, 2019. The annual Farmers' Market will once again be held on Central Avenue at Main Street, on Thursdays from June through October. Mr. Hoover provided information on many Chamber of Commerce programs to be held this spring, and reminder resident to check the Senior newsletter for programming information.

Health

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

Madison Health Department is sponsoring Health Screenings for both men and women. The Women' Health screening will be held Monday April 29th and the Men's Screening is Monday, May 6th. Please call for an appointment and further details. The Madison Health Department was recently audited by the NJ Department of Health and is in substantial compliance with the Performance Standards for local health departments. The Local Health Report for 2018 is available at the Health Department and on Rosenet.org. The report summarizes activities of all facets of the Madison Health Department: The Board of Health is reviewing information regarding a movement by the Humane Society to ban "puppy mills" in New Jersey, with the Mayor and Council considering action concerning this initiative. The Board of Health is also looking into updating the Borough Code concerning smoking and vaping. They will be collaborating with the Board of Education to address this issue in the school system.

CAP BANK ORDINANCE

Mayor Conley calls up Ordinance 8-2019 for first reading and asked the Borough Clerk to read said ordinance by title:

ORDINANCE 8-2019

CALENDAR YEAR 2019 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 2.5% 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

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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 2019 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 \$198,021.19 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 2019 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 \$693,074.17 and that the CY 2019 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.

Mrs. Vitale moved that Ordinance 8-2019, which the Borough Clerk read by title, be adopted. Mrs. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

BUDGET INTRODUCTION

Statement by Borough Clerk:

Upon introduction and adoption, the 2019 Budget and Tax Resolution will be published by summary in the Madison Eagle on March 28, 2019 with a public hearing date set for Monday, April 22, 2019 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.

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R 104-2019 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING THE 2019 BUDGET AND TAX RESOLUTION

Mrs. Vitale noted several highlights of the proposed budget and thanked Borough officials for their efforts. Mr. Burnet provided a summary of the proposed budget.

Ms. Vitale moved that Resolution R 104-2019, which the Borough Clerk read by title, be adopted. Ms. Byrne seconded the motion. There was no further Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Petition signatures received March 22, 2019, from Sandy Kosakowski of Park Avenue, regarding the Lincoln Place movie theater.

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

03/25/2019-1 PET SHOP/KENNEL REGULATIONS

Ms. Coen noted the support of the Board of Health to introduce an ordinance to limit the sale of dogs and cats in the Borough of Madison to those that were obtained from a licensed animal shelter or rescue organization or in cooperation with a licensed animal shelter or rescue organization. Following discussion there was agreement to list an ordinance for introduction.

Ordinance 11-2019 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 March 11, 2019, 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 Ordinance 6-2019 for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 6-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$570,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR
THE 2019 WATER UTILITY MAINS, VALVES, AND HYDRANTS
REPLACEMENTS PROJECTS AND RELATED WORK**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$570,000.00 for the 2019 Water Utility program; and

WHEREAS, funds are available in the Water Capital Improvement fund or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer pending approval of the 2019 budget.; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$570,000.00 from the Water Utility Capital Improvement Fund for the 2019 Water Utility program improvements.

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 \$570,000.00 is hereby appropriated from the Water Utility Capital Improvement Fund for the 2019 Water Utility program improvements.

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 6-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 6-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

Mayor Conley declared Ordinance 6-2019 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 7-2019
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
94 APPENDIX A OF THE BOROUGH CODE ENTITLED “ELECTRIC
UTILITY” REGARDING NET METERING**

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WHEREAS, the Assistant Borough Administrator has recommended amendments to the Borough Code to establish a schedule of rates for customers who generate and feed electricity into the Borough of Madison electrical system; and

WHEREAS, it would be more appropriate for the credit cycle to be April to March and credit issued in April in order for customers who generate and feed electricity into the electrical system to use any credit during the winter months.

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 94 of the Code of the Borough of Madison, Appendix A, thereof entitled “SCHEDULE OF RATES FOR CUSTOMERS WHO GENERATE AND FEED ELECTRICITY INTO MADISON’S ELECTRICAL SYSTEM” is hereby amended as follows to change the date when solar net metering credits are issued:

....

D. The Madison Borough Electric Department will:

2. Pay the customer for credit held at the end of the twelve-payment cycle (April through March) at the current purchase power rate, leaving no outstanding balance. The Borough shall make this payment no later than April 30th of the following year.

....

SECTION 2: This ordinance shall take effect July 1, 2019, upon final passage and publication as required by law.

Mayor Conley opened up the public hearing on Ordinance 7-2019. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 7-2019, which the Borough Clerk read by title, be adopted. Ms. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 7-2019 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.

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 April 8, 2019 in the 2nd Floor Council Chamber of the Hartley

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Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 9-2019 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$310,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR THE 2019 SANITARY SEWER PROGRAM

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$310,000.00 from the General Capital Improvement Fund for the 2019 Sanitary Sewer Improvements program; 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 \$310,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$310,000.00 from the General Capital Improvement Fund for the 2019 Sanitary Sewer Improvements program.

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 \$310,000.00 is hereby appropriated from the General Capital Improvement Fund for the 2019 Sanitary Sewer Improvements program.

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

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

Ms. Byrne moved that Ordinance 9-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

ORDINANCE 10-2019 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 195 OF THE MADISON BOROUGH CODE, LAND
DEVELOPMENT ORDINANCE, TO AMEND SECTION 30.5B(2) REQUIREMENTS
FOR ACCESSORY STRUCTURES AND USES

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WHEREAS, the Borough Council has determined to amend Chapter 195 of the Borough Code, the Madison Land Development Ordinance, Section 195-30.5, entitled “Accessory structures and uses” and refer same to the Madison Borough Planning Board for their review; and

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

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:

SECTION 1: Section 195-30.5, entitled “Accessory structures and uses” is hereby amended to add the following section:

§195-30.5B(2). Accessory structures and uses.

.....

B.

The following requirements shall be complied with in all residential zones:

....

(2)

No accessory building shall have floor or ground area in excess of 500 square feet or 1/3 of the floor or ground area of the principal building, whichever is ~~greater~~ **less**.

SECTION 2: All other provisions of the Ordinance not inconsistent herewith shall remain the same.

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

Ms. Byrne moved that Ordinance 10-2019, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 11-2019 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING AND SUPPLEMENTING CHAPTER 59 OF THE BOROUGH CODE
PROHIBITING THE RETAIL SALE OF CERTAIN DOGS AND CATS IN THE
BOROUGH

WHEREAS, Chapter 59 contains regulations pertaining to the operation of kennels, pet shops, shelters and pounds in the Borough; and

WHEREAS, according to the Humane Society of the United States (“HSUS”), inspection records show that many USDA-licensed breeders breed dogs or cats in relatively inhuman conditions. These breeders are commonly referred to as “puppy

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mills” or “kitten factories.” Documented problems of “puppy mills” include: over-breeding; inbreeding; veterinary care that does not meet the same standards as other breeders; relatively poor quality of food and shelter; lack of human socialization; and overcrowded cages; and

WHEREAS, dogs bred in “puppy mills” are more likely to have behavior and/or health problems. While “kitten factories” are not as common as “puppy mills”, similar problems are reported regarding “kitten factories”; and

WHEREAS, according to the American Society for the Prevention of Cruelty to Animals (“ASPCA”), fearful behavior and lack of socialization with humans and other animals are common characteristics of dogs from “puppy mills” and kittens from “kitten factories”; and

WHEREAS, N.J.S.A. 4:19-15-8 contemplates municipal approval as a prerequisite to the establishment of pet shops for the retail sale of dogs and cats; and

WHEREAS, the Mayor and Council finds that, in addition to State and Federal laws, the Borough has a local responsibility to promote animal welfare and encourage best practices in the breeding and purchasing of dogs and cats; and

WHEREAS, the Mayor and Council recognize that not all dogs and cats retailed in pet shops are products of inhumane breeding conditions and would not classify every commercial breeder selling dogs or cats to pet shops as a “puppy mill” or “kitten factory”, but it wishes to facilitate the reduction/elimination of the practice; and

WHEREAS, the Mayor and Council agree that restricting the sale of dogs and cats in retail establishments to those that are obtained from animal shelters and rescue organizations will improve animals’ lives and will reduce the cost to the public for sheltering such needy animals; and

WHEREAS, the Mayor and Council believe that a ban on the retail sale of dogs and cats procured from sources other than animal shelters and rescue organizations (or displayed in cooperation with animal shelters or rescue organizations) will provide community awareness of animal welfare, and in turn, will encourage a more humane environment in the Borough and will be in the best interests of the public health, safety and welfare, and in the best interests of the dogs and cats in the Borough; and

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WHEREAS, the Council of the Borough of Madison finds that it is in the best interests of the citizens of the Borough of Madison to amend and supplement Chapter 59 as set forth below.

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 59 entitled “Animals and Rabies Control” shall be amended by creating Article 18 entitled “Regulation of Pet Sales”, which shall read in its entirety as follows:

Article 18. Sale of Dogs and Cats

(a) Definitions.

Animal Care Facility shall mean any facility operated by a nonprofit humane agency, municipal agency, or any other authorized agent for the Borough for the purpose of impounding or caring for animals held under the authority of this Chapter or State Law.

Kennel shall mean any establishment wherein or whereon the business of boarding and/or breeding dogs or cats for sale is carried on, except a pet shop.

Kennel operator shall mean a person who owns or operates a kennel, or both.

Legally existing nonconforming use shall mean any pet store or pet store operator that displayed, sold, delivered, offered for sale, or otherwise disposed of dogs or cats in the Borough prior to the effective date of this Ordinance.

Pet Shop or Pet Store shall mean retail establishments open to the public wherein animals, including but not limited to dogs or cats, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.

Pet shop operator or pet store operator shall mean a person who owns or operates a pet shop or pet store, or both.

Pound shall mean an establishment for the confinement of dogs or other animals seized either under the provision of N.J.S.A. 4:19-15.1 et seq. or otherwise.

Rescue Organization shall mean any facility where homeless, stray, abandoned, rescued or unwanted animals are received, harbored, maintained or made available for adoption to the general public and which is owned, operated or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of the cruelty to animals or other nonprofit or tax exempt organization devoted to the welfare, protection and humane treatment of animals.

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(b) Prohibited acts; exceptions.

All pet shops, pet shop owners, kennels or kennel operators shall only sell, offer for sale, barter, auction, breed or otherwise dispose of dogs and cats in the Borough of Madison that were obtained from a licensed animal shelter or rescue organization or in cooperation with a licensed animal shelter or rescue organization.

No pet shop, pet shop owner, kennel or kennel operator may sell, offer for sale, barter, auction, breed or otherwise dispose of dogs and cats in the Borough of Madison that were acquired from a source other than a licensed animal shelter or rescue organization, unless said acquisition was in cooperation with a licensed animal shelter or rescue organization

No pet shop, pet shop owner, kennel or kennel operator may sell, offer for sale, barter auction, breed or otherwise dispose of dogs and cats in the Borough of Madison that are younger than eight weeks old.

This section shall not apply to legally existing nonconforming uses or to the adoption of dogs or cats, or both.

Nothing contained herein shall prohibit a shelter, pound or other establishment from keeping, displaying, selling or otherwise transferring any dog, cat or both, that has been seized, rescued or donated.

(c) Violations and penalties.

1. Any person who violates, or fails or refuses to comply with, any one or more provisions of this article shall be subject to a fine of not more than \$2,000, or up to the maximum amount permitted by state law, for each separate offense or confinement in the Morris County Jail for a period of not more than 90 days, or community service for a period of not more than 90 days, or any combination of fine, imprisonment and/or community service, as determined at the discretion of the Municipal Court Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be subject to penalties as provided herein for each separate offense.

2. The Violation of any one or more provisions of this article shall be subject to abatement, summarily by a restraining order or by injunction issued by a court of competent jurisdiction.

All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

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Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

This ordinance shall take effect upon its passage and publication according to law.

Ms. Coen moved that Ordinance 11-2019, 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. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

**ORDINANCE 12-2019 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 190 OF THE MADISON BOROUGH CODE ENTITLED
“WATER” TO UPDATE THE WATER CONNECTION FEE SCHEDULE**

WHEREAS, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 190 of the Madison Borough Code entitled “Water” to include an updated water connection fee schedule; and

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2018, and based on such study has recommended a water connection fee in the amount of \$3,706.00 for new customers; and

WHEREAS, such water connection fee is authorized by N.J.S.A. 40A:31-11 entitled “County and Municipal Water Supply”.

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 190-11.2 of the Madison Borough Code, currently entitled “Connection fee” is hereby amended as follows:

§190-11.2 Connection fee

There shall be a water connection fee established in accordance with N.J.S.A. 40A:31-11 in addition to the fees for department services set forth in Section 190-33. The water connection fee for the remainder of 2019 shall be:

- A. For single family dwelling units, \$3,706.00, and for multiple dwelling units, \$3,706.00 per unit.

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- B. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 245 gallons or fraction thereof: \$3,706.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The water connection fee shall be payable in full to the Borough of Madison at the time a building water connection permit is issued for connection to the municipal water system by the Borough of Madison.

SECTION 2: This Ordinance shall take effect on July 1, 2019.

Mrs. Vitale moved that Ordinance 12-2019, which the Borough Clerk read by title, be adopted. Ms. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

ORDINANCE 13-2019 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 155 OF THE MADISON BOROUGH CODE ENTITLED
“SEWER” TO UPDATE THE SEWER CONNECTION FEE SCHEDULE

WHEREAS, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 155 of the Madison Borough Code entitled “Sewer” to include an updated sewer connection fee schedule; and

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2018, and based on such study has recommended a sewer connection fee in the amount of \$6,127.00 for new customers; and

WHEREAS, such sewer connection fee is authorized by N.J.S.A. 40A:26A-11 entitled “Municipal and County Sewerage Facilities”.

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

SECTION 1: Chapter 155-4A of the Madison Borough Code, currently entitled “Connection expenses; responsibility for maintenance, repair and replacement of laterals” is hereby amended as follows:

§155-4 Connection fees; connection expenses; responsibility for maintenance, repair and replacement of laterals.

A. Sewer connection fees.

There shall be a basic connection fee established in accordance with N.J.S.A. 40A:26A-11. The fee for the remainder of 2018 shall be:

1. For single family dwelling units, \$6,127.00, and for multiple dwelling units, \$6,127.00 per unit.
2. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 262 gallons or fraction thereof: \$6,127.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The sewer connection fee is based upon the usage of a single dwelling unit or equivalent discharge. The sewer connection fee shall be payable in full to the Borough of Madison at the time a building sewer permit is issued for connection to the public sanitary sewer by the Borough of Madison.

SECTION 2: This Ordinance shall take effect on July 1, 2019.

Mrs. Vitale moved that Ordinance 13-2019, which the Borough Clerk read by title, be adopted. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

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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.

Ms. Baillie moved adoption of the Resolutions listed on the Consent Agenda. 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. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen

Nays: None

R 105-2019 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION R 88-2019 AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF PUBLIC PARKING LOT NUMBER ONE BY THE ROTARY CLUB OF MADISON FOR A PUBLIC SHREDDING EVENT

WHEREAS, Resolution R 88-2019 authorized the Rotary Club of Madison to use public parking lot number one on Saturday, April 20, 2019, between the hours of 9:00 a.m. and 12:00 p.m. for a public shredding event; and

WHEREAS, the Rotary Club of Madison has requested to change the date of the public shredding event to April 6, 2019; and

WHEREAS, the Rotary Club has submitted a Special Event Permit Application to the Borough as well as a Certificate of Liability Insurance naming the Borough of Madison as an additional insured; and

WHEREAS, the Borough Council agrees with this request .

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Rotary Club of Madison is hereby given permission to hold a public shredding event at Madison public parking lot number one, on Saturday, April 6, 2019, between the hours of 9:00 a.m. and 12:00 p.m. and subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 106-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ST. MADISON CHAMBER OF COMMERCE EVENT AT WAVERLY PLACE ON SATURDAY, APRIL 13, 2019

WHEREAS, the Madison Chamber of Commerce has applied for special permission to close Waverly Place on Saturday, April 13, 2019, from 11:00a.m. until 12:30 p.m. for a community Easter Egg Fest; and

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WHEREAS, the Borough Council has determined that special permission should be issued provided the Chamber of Commerce complies with all requests from the Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that special permission is authorized to close Waverly Place on Saturday, April 13, 2019 from 11:00 a.m. to 12:30 p.m. subject to compliance with requests from Borough officials.

R 107-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING THE APPROVAL OF THE RECOMMENDATION OF THE FINANCE COMMITTEE AND OPERATING COMMITTEE OF THE MADISON-CHATHAM JOINT MEETING REGARDING ITEMS OF BUSINESS APPROVED AT THE MARCH 18, 2019 JOINT MEETING

WHEREAS, the Finance Committee and Operating Committee of the Madison-Chatham Joint Meeting held a regularly scheduled meeting on March 18, 2019; and

WHEREAS, the Borough of Madison was not represented by a quorum of members at said meeting; and

WHEREAS, the following items of business were introduced and approved by the members present at the Joint Meeting of March 18, 2019:

1. Regular Meeting Minutes of February 19, 2019.
2. Approval of the February Financial Report, Check Registry and Purchase Orders for the month of March.
3. Approval of Resolution # 19-30: Resolution Approving True-Up For Madison-Chatham Joint Meeting 2018 Operating Costs.
4. Approval of Resolution # 19-32: Resolution to Bill Chatham Township for 34 Connections

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that the Borough Council hereby ratifies the above listed actions taken at the Joint Meeting held March 18, 2019.

R 108-2019 RESOLUTION OF THE BOROUGH OF MADISON TO ENCOURAGE THE USE OF RECYCLABLE PAPER BAGS AND REUSABLE BAGS INSTEAD OF PLASTIC BAGS

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WHEREAS, single-use plastic checkout or carryout bags create significant litter problems in the neighborhoods of Madison and have been found in our trees, streets, parks and sewer system; and

WHEREAS, the broad use of single-use plastic carryout bags and their typical disposal is an impediment to the achievement of the environmental goals of the Borough of Madison to maintain a clean community that is not hazardous to wildlife; and

WHEREAS, the production and disposal of single-use carryout bags have significant environmental impacts, including the contamination of the environment, the depletion of our natural resources, the unnecessary use of non-renewable and polluting fossil fuels, and increased litter disposal costs; and

WHEREAS, the reduction in the use of single-use plastic carryout bags helps to protect the environment, advance solid waste reduction, reduce greenhouse gas emissions and keep waterways clean; and

WHEREAS, studies document that discouraging the use of single-use plastic carryout bags will reduce the use of plastic bags, encourage the use of recyclable paper bags and increase customers' use of reusable bags; and

WHEREAS, the Mayor and Council finds that the reduction in the use of single-use plastic carryout bags by food and retail establishments in the Borough of Madison is a public benefit.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that the Mayor and Council support the efforts of the Madison Environmental Commission to encourage residents and retail establishments to use recyclable paper bags and reusable bags instead of single-use plastic bags. The Mayor and Council further request that all retail establishments train their employees to "Ask before Bagging" to give all shoppers an opportunity to save a bag.

R 109-2019 RESOLUTION OF THE BOROUGH OF MADISON AWARDING COOPERATIVE CONTRACT TO ALPINE CONSULTING, INC. DBA ACCUSCAN FOR DOCUMENT SCANNING AND ARCHIVE SERVICES UNDER THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY

WHEREAS, the Borough of Madison desires to award a contract for scanning and archive services under the Educational Services Commission of New Jersey program; and

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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, Alpine Consulting, Inc. dba AccuScan , of Edgewater Park, New Jersey, has been awarded an Educational Services Commission of New Jersey contract number ESCNJ 16/17-48; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for scanning and archive services in the amount of \$19,860.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$19,860.00, in the Engineering Operating Budget 9-01-21-180-215.

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 scanning and archive services under the Educational Services Commission of New Jersey program for \$19,860.00 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 Alpine Consulting, Inc. dba AccuScan, of Edgewater Park, New Jersey, for scanning and archive services under the Educational Services Commission of New Jersey program at a total price not to exceed \$19,860.00, in a form acceptable to the Borough Attorney.

R 110-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CANCELLATION OF INTEREST FOR REAL PROPERTY TAX PAYMENT

WHEREAS, the Borough Administrator has recommended approval of a request to cancel interest for delinquent payment of first quarter 2019 taxes in the amount of \$8,563.95 on the property located at 175 Park Avenue, Block 401 Lot 2, due to extraordinary circumstances; and

WHEREAS, the Council has determined to cancel said interest thereon.

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 Tax Collector is authorized to cancel the first quarter 2019 interest on Block 401, Lot 2, in the amount of \$8,563.95.

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R 111-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE USE OF \$7,130.00 IN MUNICIPAL OPEN SPACE TRUST FUNDS FOR ASSESSMENT OF INTERIOR WALLS AND CEILING PAINT AT THE HISTORIC JAMES BUILDING (A/K/A THE MUSEUM OF EARLY TRADES AND CRAFTS)

WHEREAS, the Museum of Early Trades a& Crafts has applied for a Morris County Historic Preservation Grant requiring a twenty (20%) percent match of funds for assessment of interior walls and ceiling paint at the historic James Building on the corner of Green Village Road and Main Street currently housing the Museum of Early Trades and Crafts; and

WHEREAS, the Open Space Advisory Committee has recommended that \$7,130.00 as a 20% match be allocated from the Municipal Open Space Trust Fund for interior walls and ceiling paint assessment to the historic James Building; and

WHEREAS, the Borough is the owner of said property.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that \$7,130.00 is hereby authorized to be allocated from the Municipal Open Space Trust Fund as a 20% match of funds for assessment of interior walls and ceiling paint at the historic James Building, contingent upon approval of a grant for the remainder of the Morris County Historic Preservation Program.

R 112-2019 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING MEMBERSHIP OF SANTIAGO LOPEZ IN THE MADISON HOSE COMPANY #1 AND THOMAS JOHNSON AND BRIAN BRIKOWSKI IN THE MADISON HOOK & LADDER COMPANY #1

WHEREAS, the Madison Fire Chief has advised that Santiago Lopez was voted into the Madison Hose Company #1 as a volunteer firefighter, and Thomas Johnson and Brian Brikowski were voted into Madison Hook & Ladder Company #1; and

WHEREAS, Section 18-27 of the Madison Borough Code requires that each person so voted shall be confirmed as a member of such division by the Council of the Borough of Madison.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Santiago Lopez, Thomas Johnson and Brian Brikowski are hereby confirmed as members, effective immediately.

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R 113-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR THE ARTS COUNCIL OF THE MORRIS AREA

WHEREAS, the Arts Council of the Morris Area has requested permission to put up temporary signs advertising the 36th Annual Giralda Farms Concert featuring the New Jersey Symphony Orchestra on June 23, 2019, at the Giralda Corporate Park; and

WHEREAS, the signs would be located on Woodland Road and on Route 124 outside the gates of the Giralda entrances, commencing on May 28, 2019 and be removed by June 26, 2019; and

WHEREAS, the Borough Clerk has recommended that a temporary sign permit be issued.

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 Arts Council of the Morris Area to put up temporary signs as described herein from May 28, 2019 to June 26, 2019, is approved.

R 114-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SHARED SERVICE AGREEMENT FOR ONE SPECIAL POLICE OFFICER II WITH THE MADISON BOARD OF EDUCATION

WHEREAS, the Board of Education and the Borough of Madison have agreed to enter into a Shared Services Agreement for to provide one Special Police Officer II for the Junior School; and

WHEREAS, the Madison Borough Council has reviewed the proposed agreement and is agreeable to contracting to provide such services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into a Shared Services Agreement as described herein with the Madison Board of Education in such form approved by the Borough Attorney.

R 115-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JESSICA KNIK TO THE POSITION OF SUBSTITUTE CROSSING GUARD

WHEREAS, the QPA/Personnel Director has recommended appointing Jessica Knik to the position of Substitute Crossing Guard; and

WHEREAS, the Chief Financial Officer has attested that funds are available for this purpose in the 2019 Police Department Budget # 240, Operating Account for Part-time Help # 130.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that upon satisfactory completion of a background check Jessica Knik is appointed to the position of Substitute Crossing Guard for the Borough of Madison for the school year commencing upon the effective date of this resolution and ending June 15, 2019, unless the school year is extended due to winter weather closings

BE IT FURTHER RESOLVED, that Jessica Knik be compensated in accordance with the Borough Resolution establishing the salaries for part-time school crossing guards.

R 116-2019 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 99-2019 AWARDING CONTRACT TO RICH TREE SERVICE , INC. OF SOUTH PLAINFIELD, NJ FOR ELECTRIC LINE CLEARANCE SERVICES

WHEREAS, Resolution 99-2019 awarded a contract to Rich Tree Service, Inc., of South Plainfield, New Jersey in an amount not to exceed \$63,000.00 for electric line clearance services; and

WHEREAS, the Electric Superintendent has recommended that the Borough amend Resolution 99-2019 to increase the award amount by \$10,000.00 not to exceed \$73,000.00; and

WHEREAS, funds are available in the Electric Department Operating Account, 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 2019 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. Resolution 99-2019 is amended to increase the contract award amount by an additional amount of \$10,000.00 not to exceed \$73,000.00.
2. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, an amended purchase order and contract with Rich Tress Service, Inc., of South Plainfield, New Jersey, for electric line clearance services not to exceed \$73,000.00, in a form acceptable to the Borough Attorney.

R 117-2019 RESOLUTION OF THE BOROUGH OF MADISON AWARDING THE PREVENTATIVE MAINTENANCE/REPAIR OF HVAC EQUIPMENT BID TO AIR SYSTEMS INC., OF KENILWORTH, NJ

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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 Borough received nice (9) bids; and

WHEREAS, the Borough Attorney has disqualified the apparent low bidder, The HVAC LLC, Livingston, NJ, due to State licensing deficiencies; and

WHEREAS, the Borough Attorney has opined that rejection of the bid is appropriate pursuant to statutory authority.

WHEREAS, the lowest qualified bid was submitted by Air Systems Inc., Kenilworth, NJ, in the amount of \$14,110.00 for preventative maintenance for Borough buildings and \$85.00/hour for emergency services; and

WHEREAS, the Qualified Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Air Systems Inc., Kenilworth, NJ, in the amount of \$14,110.00 preventative maintenance for Borough buildings 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 Air Systems Inc., Kenilworth, NJ, based upon its bid in the amount of \$14,110.00 preventative maintenance for Borough buildings 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 Air Systems, Inc., in a form acceptable to the Borough Attorney.

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.

Sandy Kolakowski; Park Avenue, noted 2100 signatures on a petition asking Mayor and Council to save the Madison Theatre on Lincoln Place. Ms. Kolakowski noted other municipalities that have saved local theaters and ask Council to consider using budget surplus for the theater.

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Rob Pratt; Sherwood Avenue, asked Council to read comments provided with online petition signatures.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Ms. Baillie, seconded by Mrs. Vitale 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	\$3,682,797.15
General Capital Fund	138,451.58
Electric Operating Fund	708,601.59
Electric Capital Fund	12,070.50
Water Operating Fund	46,061.60
Water Capital Fund	75,496.82
Trusts	<u>18,239.22</u>
Total	<u>\$4,681,718.46</u>

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

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

Nays: None

NEW BUSINESS

Mayor Conley announced members of a Budget Surplus Review Committee, and asked for Council confirmation. Mrs. Vitale as Finance Liaison, Mr. Rowe as Utilities Liaison and Ms Byrne as backup to the Finance Liaison.

Ms. Baillie moved approval of the foregoing appointments, seconded by Mrs. Vitale and passed by the following vote:

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

Nays: None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved May 13, 2019 (EO)