

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

March 28, 2016 – 7:30 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 28th day of March, 2016. Mayor Conley called the meeting to order at 7:30 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 8, 2016. 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:

Present:

Mayor Robert H. Conley

Council Members:

Robert G. Catalanello

Robert Landrigan

Astri J. Baillie

Benjamin Wolkowitz

Patrick W. Rowe

Absent: Carmela Vitale, excused

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, CFO/Assistant Borough Administrator

Matthew J. Giacobbe, Esq., Borough Attorney

Elizabeth Osborne, Borough Clerk

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Wolkowitz moved:

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

MINUTES FOR APPROVAL (1)

None

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

CONTRACT MATTERS (2)

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JOINT MEETING UPDATE
SELF GENERATION

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.

PERSONNEL MATTERS (1)
CUSTODIAN P/T

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

Seconded: Mr. Catalanello
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 **Regular Meeting Minutes of November 23, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Ms. Baillie moved approval of the **Regular Meeting Minutes of December 14, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

GREETINGS TO PUBLIC

Mayor Conley read the following Proclamation:

*Proclamation
of the
Borough of Madison
Proclaiming
National Service Recognition Day
April 5, 2016*

WHEREAS, service to others is a hallmark of the American character and central to how we meet our challenges; and

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WHEREAS, the nation’s cities are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities from educating students for the jobs of the 21st century, to supporting veterans and military families, to providing health services and helping communities recover from national disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with county officials and mayors nationwide to engage citizens, improve lives and strengthen communities; and is joining with the National League of Cities, National Association of Counties, Cities of Service and mayors and county officials across the country for Mayor and County Recognition Day for National Service on April 5, 2016;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby proclaim April 5, 2016 as **National Service Recognition Day** and encourage residents to recognize the positive impact of national service in our county, to thank those who serve and to find ways to give back to their communities.

Robert H. Conley, Mayor

March 28, 2016

Mayor Conley invited Antoinette Dominicci-Fifoot and her husband and son forward and read and presented the following Proclamation:

*Proclamation
of the
Borough of Madison
Proclaiming
Autism Awareness, Acceptance and Inclusion Month
April 2016*

WHEREAS, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it; and

WHEREAS, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally and 1 in 45 children in New Jersey; and

WHEREAS, while there is no cure for autism, it is well documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

WHEREAS, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism presents; and

WHEREAS, Autism New Jersey, is spearheading an awareness, acceptance and inclusion effort in order to educate parents, professionals and the general public about autism and its effects;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim April 2016 as **National Autism Awareness, Acceptance and Inclusion Month** and urge all residents to become better educated on the subject of autism spectrum disorders.

Robert H. Conley, Mayor
March 28, 2016

Mayor Conley invited Marlene Dolan and Samantha Robinson of the Madison Health Department forward and read and presented the following Proclamation:

*Proclamation
of the
Borough of Madison
Proclaiming
National Public Health Week
April 4 – 10, 2016*

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WHEREAS, the week of April 4–10, 2016 is National Public Health Week and the theme is “Healthiest Nation 2030”; and

WHEREAS, since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public’s health; and

WHEREAS, over the past 25 years, U.S. life expectancy has increased, but at a slower rate than in other countries and studies consistently show we have a lower life expectancy than comparable countries; and

WHEREAS, there is a significant difference in the health status, such as obesity, poor mental health and infectious disease, of people living in the healthiest states compared to people living in the least healthy states; and

WHEREAS, public health professionals help communities prevent, prepare for, withstand and recover from the impact of a full range of health threats, including disease outbreaks such as the Zika virus, natural disasters and disasters caused by human activity; and

WHEREAS, public health action together with scientific and technologic advances have played a major role in reducing, and in some cases eliminating, the spread of infectious disease and in establishing today’s disease surveillance and control systems; and

WHEREAS, the percentage of adults smoking cigarettes in the United States, the leading cause of preventable disease and death in this country, decreased from 20.9 percent in 2005 to 16.8 percent in 2014;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim the week of April 4-10, 2016 as **National Public Health Week** and call upon the people of Madison to observe this week by helping our families, friends, neighbors, co-workers and leaders better understand the value of public health and supporting great opportunities to adopt preventive lifestyle habits in light of this year’s theme, “**Healthiest Nation 2030.**”

Robert H. Conley, Mayor

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REPORTS OF COMMITTEES

Utilities

Mr. Wolkowitz, Chair of the Committee made the following comments:
The Madison Water Department continues State mandated testing and the annual water report will be mailed to residents shortly. There was 53 requested for mark outs and three new meters were installed for new construction. A 2inch water shutoff was completed at the former Green Village Road School site. Repairs continue at Well E and the Borough has loaned a fire hydrant to Drew University as they wait for a replacement of their own hydrant.

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Health

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

The Madison Health Department reminds residents of the community needs assessment survey on aging that can be found on the Borough website, the Madison YMCA and the Senior Center. An Employee 'lunch and learn' wellness program on colorectal awareness, was held today at the Public Safety Complex, sponsored by Whole Foods.

Finance and Borough Clerk

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

The Finance staff has just completed the quarterly review of the pension status of every employee in the Borough. The Affordable Care Act mandates that form 1095C be completed. As an "Applicable Large Employer" under the Act, the Borough is required to report the health insurance that was offered to each employee as well the coverage for each employee. Thank you to the Finance staff for taking on this additional responsibility and completing the necessary work on time. Later this week, the Borough will be paying employer the annual employer contribution to the pension system for all employees. The Tax Collector's office is looking into automation that would allow wiring of payments from banks that collect escrows for various mortgage companies. This will expedite the receipt of the money and will be a more efficient way to post payments and receive the funds. So far, the Borough has received 31 tax appeals for the 2016 year, which is a relatively small amount. Residents are reminded that Tax Appeals must be filed by April 1st. The user friendly budget and the municipal budget document were both sent down to the Division of Local Government Services. We are in a state exam year and expect comments to come from Trenton. We expect to stay on track and have the final hearing and adoption at the April 11th Council meeting. In anticipation of the June 7th Primary Election, the filing Deadline for Nomination Petitions for County Committee Member as well as Municipal Office is April 4, 2016 by 4:00 p.m. Forms are available in the Borough Clerk's Office. May 17th is the Voter Registration Deadline for the Primary Election and the Borough Clerks' Office will be open until 8:00 p.m.

Public Safety

Mrs. Vitale, Chair of the Committee, absent.

Community Affairs

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

The Morris County Office of Emergency Management will offer training to both police and fire department staff entitled 'Bleeding Control for the Injured (B-Con) Advanced Training Program' which teaches participants basic life-saving medical interventions, including bleeding control with a tourniquet, bleeding control with hemostatic gauze packs or topical hemostatic agents, and the skills necessary to open an airway in order for a casualty to breathe. The course is designed for all first responders. A Prison Ball Tournament, in partnership is the Downtown Development Commission, the Chamber of Commerce, the Madison PBA and Drew University was held Saturday March 19th with all proceeds to benefit the Joe Cirella Scholarship Fund. From Senior Services, the 2016 American Society on Aging conference was held in Washington, DC from March 20-24 The theme, "Aging in America," fit well with the TriTown55+ efforts Madison and the Chathams are currently undertaking with the survey of needs and assets for this population. Recreation Department continues to grow the spring sports clinics, with registration now closed. Field maintenance has commenced. Over 500 coaches have submitted their background check submissions.

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Public Works and Engineering

Mr. Rowe, Chair of the Committee, made the following comments:
The Public Works department continues pot hole repairs and yard waste pickup has resumed. The Engineering Department reports that limited improvement to the shoulder parking along Loantaka Way has been recommended. Resident with any concerns should call Morris County or the Borough Engineer. Sealing work quotes have been received through the Morris County Coop and cleaning and inspection of the trunk sewer line at Garden Ave and Brooklake are scheduled for next week. Emergency work to repair a failed sanitary sewer line was completed at the Civic Center and the Memorial Park field improvements will take place in April.

COMMUNICATIONS AND PETITIONS

None

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

03/28/2016-1 2015 ZONING BOARD OF ADJUSTMENT ANNUAL REPORT – Joseph Santoro, Chairman of the Zoning Board of Adjustment provided details of the annual report on applications and variances, noting recommendation to amend imperious lot coverage and credit for other materials used, installation of dry wells in connection with building additions and height regulations for cupolas and other rooftop architectural design features. There was recommendation for the Board Attorney to provide a proposed ordinance with recommended amendments.

03/28/2016-2 STORMWATER ORDINANCE AMENDMENT S
Borough Engineer Robert Vogel provided recommendations for amending the Borough code regarding stormwater regulations, including concentrated discharge from pumps or leaders over sidewalks and retaining walls not offset an equal distance to its height from an adjoining property line. The recommendation will be forward to the Planning Board for review.

03/28/2016-3 2016 ELECTRIC UTILITY REBATE PROGRAM
Following discussion there was consensus to increase the rebate to \$150 per qualifying household and list an ordinance for introduction. Mr. Codey noted that the electric utility ordinance will need to be amended. Mr. Giacobbe will read the ordinance in full for the record upon introduction.

Resolution R 113-2016 was removed from the Consent Agenda

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 14, 2016, were introduced by title

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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 10-2016
CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 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 2016 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, amounting to \$646,273.50 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 appropriation 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 2016 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 by 3.5%, amounting to \$646,273.50 and that the CY 2016 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 hereinabove 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,

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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.

Mayor Conley opened up the public hearing on Ordinance 10-2016. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Landrigan moved that Ordinance 10-2016, which the Borough Clerk read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mrs. Vitale

Mayor Conley declared Ordinance 10-2016 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 11-2016
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
185-32 OF THE BOROUGH CODE TO INCLUDE TIME LIMIT
RESTRICTIONS FOR PARKING ON BELMONT AVENUE AND
WASHINGTON DRIVE**

WHEREAS, the Madison Borough Police Department, due to public safety concerns, has recommended that Chapter 185-32 of the Borough Code be amended to limit parking time on the roads listed below on weekdays:

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Location</u>
Belmont Avenue, Washington Drive	Both	4 hour/weekdays	Entire Length

WHEREAS, the Borough Council has determined that Chapter 185-32 of the Madison Borough Code entitled "Schedule IV: Time Limit Parking" should be amended in order implement these changes;

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

Section 1: Section 185-32 of the Code of the Borough of Madison entitled "Schedule IV: Time Limit Parking" shall be amended as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Location</u>
Belmont Avenue, Washington Drive	Both	4 hour/weekdays	Entire Length

Section 2: This Ordinance shall take effect as provided by law.

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Mayor Conley opened up the public hearing on Ordinance 11-2016. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 11-2016, which the Borough Clerk read by title, be finally adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 11-2016 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 12-2016
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$30,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND TO
PURCHASE A PAD MOUNT TRANSFORMER FOR E-WELL PUMP
STATION**

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$30,000.00 from the Electric Capital Improvement Fund for the purchase of a pad-mount transformer for E-Well water pumping station; and

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

WHEREAS, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the Electric Capital Improvement Fund for the purchase of a pad-mount transformer for E-Well water pumping station.

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

SECTION 1: The amount of \$30,000.00 is hereby appropriated from the Electric Capital Improvement Fund for the purchase of a pad-mount transformer for E-Well water pumping station.

SECTION 40: 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 12-2016. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Wolkowitz moved that Ordinance 12-2016, which the Borough Clerk read by title, be finally adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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Mayor Conley declared Ordinance 12-2016 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 13-2016
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$105,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF A 16 FOOT LAWN MOWER**

WHEREAS, the Superintendent of Public Works has recommended that the Borough appropriate \$105,000.00 from the General Capital Improvement Fund for the purchase of a 16 foot lawn mower with accessories; and

WHEREAS, the Acting Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$105,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$105,000.00 from the General Capital Improvement Fund for the purchase of a 16 foot lawn mower with accessories.

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

SECTION 1: The amount of \$105,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a 16 foot lawn mower with accessories.

SECTION 40: 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 13-2016. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 13-2016, which the Borough Clerk read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mrs. Vitale

Mayor Conley declared Ordinance 13-2016 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 11, 2016 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 14-2016 ORDINANCE OF THE BOROUGH OF
MADISON APPROPRIATING \$22,000.00 FROM THE GENERAL
CAPITAL IMPROVEMENT FUND FOR REPLACEMENT OF A BRICK
PLANTER ON WAVERLY PLACE

WHEREAS, the Borough Administrator has recommended that the Borough appropriate \$22,000.00 from the General Capital Improvement Fund for the purchase and installation of a replacement brick planter on Waverly Place; 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 \$22,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$22,000.00 from the General Capital Improvement Fund for this purpose.

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 \$22,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase and installation of a replacement brick planter on Waverly Place.

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.

Mr. Rowe moved that Ordinance 14-2016, which the Borough Clerk read by title, be adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 15-2016 ORDINANCE OF THE BOROUGH OF
MADISON APPROPRIATING \$25,000.00 FROM THE GENERAL
CAPITAL IMPROVEMENT FUND FOR REPLACEMENT OF ALARM
SYSTEM FOR THE UTILITY INFRASTRUCTURE

WHEREAS, the Borough Administrator has recommended that the Borough appropriate \$25,000.00 from the General Capital Improvement Fund for replacement of an alarm system for the utility infrastructure; and

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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 \$25,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$25,000.00 from the General Capital Improvement Fund for this purpose.

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 \$25,000.00 is hereby appropriated from the General Capital Improvement Fund for replacement of an alarm system for the utility infrastructure.

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.

Mr. Rowe moved that Ordinance 15-2016, which the Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mayor Conley called up Ordinance 16-2016 for first reading and asked the Borough Attorney to read said ordinance in full:

ORDINANCE 16-2016 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING ORDINANCE 6-2015 WHICH ESTABLISHED AND SET FORTH
REQUIREMENTS FOR AN ELECTRIC REBATE CREDIT PROGRAM

WHEREAS, the Borough Council adopted Ordinance 6-2015 on February 23, 2015 which established the Electric Utility Rebate Program providing a \$100.00 credit for certain income eligible applications; and

WHEREAS, the Borough Administrator has recommended amending the annual electric utility rebate credit program for the calendar year 2016 to increase the rebate credit from \$100.00 to \$150.00; and

WHEREAS, the Borough Council has determined that the Borough should amend Ordinance 6-2015, to continue the electric utility rebate program and increase the rebate credit to \$150.00.

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 94-1 of the Borough Code entitled "Schedule of Rates" shall be amended as follows:

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D. A \$150.00 per applicant targeted annual electric utility rebate credit program is hereby established for income-eligible Madison residents, subject to annual appropriations therefore in the municipal budget. The program guidelines, eligibility criteria and application process, attached hereto, to be set forth in Appendix A.

SECTION 2: This Ordinance shall take effect as provided by law.

Mr. Wolkowitz moved that Ordinance 16-2016, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mrs. Vitale

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

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

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

Yeas: Mr. Catalanello, Mr. Landrigan, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mrs. Vitale

R 107-2016 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO ACCURATE SEWER AND DRAIN, INC. IN THE AMOUNT OF \$20,000.00 FOR EMERGENCY SEWER REPAIRS AT THE CIVIC CENTER

WHEREAS, the Borough Engineer has recommended that the Borough Council award a contract to Accurate Sewer and Drain, Inc. in the amount of \$20,000.00 for emergency Civic Center sanitary sewer service replacement; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$20,000.00 for this purpose which funds were appropriated by Ordinances 14-2015 and 33-2014.

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 emergency Civic Center sanitary sewer service replacement is hereby awarded to Accurate Sewer and Drain, Inc., in the amount of \$20,000.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Accurate Sewer and Drain, Inc. in a form acceptable to the Borough Attorney.

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R 108-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SUBMISSION OF A MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION FOR DESIGN PLANS FOR THE RENOVATION TO THE EAST WING AND EXTERIOR PLAZA OF THE HARTLEY DODGE MEMORIAL

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 renovation of the East Wing and exterior Plaza of the Hartley Dodge Memorial.

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 the require twenty (20%) per cent matching funds required.

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 agreement, and any other documents necessary in connection therewith:

Robert H. Conley, Mayor
Raymond M. Codey, Borough Administrator
Elizabeth Osborne, Borough Clerk

R 109-2016 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR MADISON EDUCATION FOUNDATION 13TH ANNUAL 5K RACE

WHEREAS, the Madison Education Foundation has requested permission to put up temporary signs advertising the Annual 5k Race on May 11, 2016;and

WHEREAS, the signs would be located throughout the Borough, commencing on March 29, 2016 and removed by May 12, 2016; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the request of the Madison Education Foundation to put up temporary signs for the Annual 5k Race as described herein from March 29, 2016 to May 12, 2016, is approved.

R 110-2016 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING PATRICIA GALLAGHER TO THE POSITION OF ADMINISTRATIVE ASSISTANT IN THE UTILITY DEPARTMENT

WHEREAS, the Electric Utility Superintendent has recommended promoting Patricia Gallagher from Senior Office Assistant to the position of Administrative Assistant in the Utility Department; and

WHEREAS, the Borough Council agrees with this recommendation.

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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 Patricia Gallagher is hereby appointed to the position of Administrative Assistant in the Utility Department, effective immediately, and her salary is hereby increased from \$ 51,771.00 to \$ 57,771.00 effective immediately.

R 111-2016 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 32nd Annual Giralda Farms Concert featuring the New Jersey Symphony Orchestra on June 26, 2016, 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 26, 2016 and removed by June 30, 2016; and

WHEREAS, the Assistant Borough Administrator 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 26, 2016 to June 30, 2016, is approved.

R 112-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPLICATION FOR A CULTURE OF HEALTH ROBERT WOOD JOHNSON FOUNDATION GRANT

WHEREAS, the Madison Health Department has met all requirements to apply for a \$20,000 grant from the Robert Wood Johnson Foundation Culture of Health Leaders program; and

WHEREAS, the purpose of the Culture of Health Leaders Grant is an initiative engaging a diverse array of leaders to: Take their leadership and influence to the next level; Collaborate in new ways to create a healthier, more equitable future for all people; and, Develop advanced leadership skills to build a Culture of Health that will enable all to live longer, healthier lives now and for generations to come; and

WHEREAS, the grant will run from September 1, 2016 through August 31, 2017 and will be renewable for two additional years, with other support funding potentially available; and

WHEREAS, there is no match requirement for this grant; and

WHEREAS, this grant is designed to offset costs of the Madison Health Department in providing services to its community and thus creating a Culture of Health.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris in the State of New Jersey that the governing body authorizes the Madison Health Department to make application for a \$20,000 Culture of Health Leaders grant.

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BE IT FURTHER RESOLVED that Borough Administration review and approve the grant application before submission of the grant.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon passage.

R 113-2016 Item Removed and the # Retired

R 114-2016 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY OWNER'S LICENSE FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2016

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 2016:

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicles</u>
2016-11	Carmine C. Fornaro	5 Liveries
2016-12	Precise Limousine Transport Service LLC	
2016-13	14 Kings Road	
2016-14		
2016-15		

R 115-2016 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY DRIVER'S PERMIT FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2016

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 2016:

<u>2016 LICENSE NO.</u>	<u>NAME</u>
16-3D	Carmine Fornaro Precise Limousine Transport Service LLC

R 116-2016 GRANT AGREEMENT BETWEEN BOROUGH OF MADISON AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANT IDENTIFIER: GOVERNING BODY RESOLUTIONS

WHEREAS, the Governing Body of the Borough of Madison in the County of Morris and State of New Jersey (Grantee) desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$30,000 to fund reforestation activities as described in the Scope of Services.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Madison in the County of Morris and State of New Jersey that Raymond Codey, his designee or the successor to the office of Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State and (c) to execute any amendments thereto; and

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The Governing Body of the Borough of Madison authorizes and hereby agrees to match 10% of the Total Project Amount. In compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Ten per cent (10%) of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement)*

BE IT FURTHER RESOLVED that the Grantee agrees to comply with all applicable federal, State and municipal laws, rules and regulations in its performance pursuant to the agreement.

R 117-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AN APPLICATION FOR THE 2016 LANGDON PALMER MEMORIAL INTERNSHIP PROGRAM

WHEREAS, the Madison Environmental Commission has requested authorization to apply for a \$2,000.00 grant from the 2016 Langdon Palmer Memorial Internship Program; and

WHEREAS, there is no match requirement for this grant; and

WHEREAS, this grant is designed to offset costs of interns to assist with the wetland restoration and reforestation at the Madison Recreation Center (MRC).

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris in the State of New Jersey that the governing body authorizes the Madison Environmental Commission to make application for a \$2,000.00 grant for the 2016 Langdon Palmer Memorial Internship Program.

BE IT FURTHER RESOLVED that Borough Administration review and approve the grant application before submission of the grant.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon passage.

R 118-2016 RESOLUTION OF THE BOROUGH OF MADISON REVISING RESOLUTION 48-2016 AUTHORIZING SETTLEMENT OF THE 2012, 2013, 2014 AND 2015 TAX APPEALS ENTITLED SIEDEM, PETER & ELLISTON V. MADISON BOROUGH, DOCKET NO. :011453-2012; 010352-2013, 007535-2014 AND 004265-2015 OF THE TAX ASSESSMENT OF BLOCK 4001, LOT 28, KNOWN AS 41 WEST LANE, IN THE BOROUGH OF MADISON, MORRIS COUNTY , NEW JERSEY

WHEREAS, appeals of the real property tax assessment for tax years 2012, 2013, 2014 and 2015 on Block 4001, Lot 28 have been filed by the Taxpayers, Siedem, Peter & Elliston; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, the settlement of said matter as more fully set forth below is in the best interest of the Borough of Madison.

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NOW, THEREFORE, BE IT RESOLVED, by the Borough of Madison, New Jersey, as follows:

1. Settlement of the 2012 tax appeal is hereby authorized as follows:

41 West Lane
Block 4001, Lot 28
Year: 2012

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land: \$ 530,700	\$ 530,700	
Imprvts \$ 922,500	\$ 922,500	WITHDRAWN
Total: \$1,453,200	\$1,453,200	

2. Settlement of the 2013 tax appeal is hereby authorized as follows:

41 West Lane
Block 4001, Lot 28
Year: 2013

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land: \$ 627,300	N/A	
Imprvts \$2,043,400	N/A	WITHDRAWN
Total: \$2,670,700	N/A	

3. Settlement of the 2014 tax appeal is hereby authorized as follows:

41 West Lane
Block 4001, Lot 28
Year: 2014

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land: \$ 627,300	N/A	\$ 627,300
Imprvts: \$2,043,400	N/A	\$1,747,700
Total: \$2,670,700	N/A	\$2,375,000

4. Settlement of the 2015 tax appeal is hereby authorized as follows:

41 West Lane
Block 4001, Lot 28
Year: 2015

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land: \$ 627,300	N/A	\$ 627,300
Imprvts: \$2,043,400	N/A	\$1,672,700
Total: \$2,670,700	N/A	\$2,300,000

5. Authorization of this Settlement will result in a refund of \$1,085.40 which will be credited to the second quarter 2016 taxes due. All municipal

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officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

R 119-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CANCELLATION OF \$185.73 IN LATE FEES FOR REAL PROPERTY TAX PAYMENT

WHEREAS, the Borough Administrator has recommended approval of a request to cancel \$185.73 in late fees due to extraordinary circumstances for delinquent payment of first quarter 2016 taxes on property at 72 Main St. Block 1802 Lot 5; and

WHEREAS, the Council has determined to cancel said late fees and 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 late fees in the amount of \$185.73 and interest thereon regarding Tax Block 1802, Lot 5.

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.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Wolkowitz, seconded by Mr. Catalanello 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.

Public Safety	\$28,391.67
Health & Public Assistance	1,666.13
Public Works & Engineering	79,914.73
Community Affairs	9,264.93
Finance & Borough Clerk	3,381,733.27
Utilities	<u>738,601.40</u>
Total	<u>\$4,239,572.13</u>

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

Yeas: Mr. Catalanello, Mr. Landrigan, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Absent: Mrs. Vitale

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NEW BUSINESS

Mayor Conley announces the following appointment:

HISTORIC PRESERVATION COMMISSION

Mary Ellen Lenahan, 84 Greenwood Avenue, for an unexpired term (Marcy) through December 31, 2019

John Solu, Chatham Street, Chatham, as Class B member, (former Class C member).

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 April 11, 2016 (EO)