

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

April 13, 2020 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 13th day of April, 2020. Mayor Conley called the meeting to order at 6:00 p.m. via teleconference.

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, 2020. 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

Maureen Byrne

John F. Hoover

Debra J. Coen

Rachel F. Ehrlich

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

Ms. Baillie moved:

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

MINUTES FOR APPROVAL (1)

March 9, 2020

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.

Regular Meeting Minutes – April 13, 2020

CONTRACT MATTERS (2)

HIGHLAND AVENUE WATER MAIN REPLACEMENT PROJECT
JACOB HENRY PERKINS TRUST FUND

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

PERSONNEL MATTERS (2)

PART TIME TAX ASSESSOR
SUMMER INTERN

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

Seconded: Mrs. Vitale

Vote: Approved by voice vote

RECONVENE VIA TELECONFERENCE

The Mayor and Council gave the following shout outs of thanks to:

Public Health Nurse, Marlene Dolan
Michael Pellessier, Communications Coordinator
Teachers and Board of Education support staff
Grocery Store workers and police
Mental Health Professionals and the Department of Public Work
Resident Tom Haralampoudis
John La Pierre, Madison Board of Education
School Nurses helping the Madison Health Department

Mayor Conley reconvened the Regular Meeting at 7:10 p.m. via teleconference, with all members present. The Pledge of Allegiance was recited by all.

Mayor Conley asked for a moment of silence for the following Madison residents:

Fred Passarella
Lou and Rita Mantone
Carmela Del Guidice

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of March 9, 2020**. Ms. Byrne seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Baillie moved approval of the **Regular Meeting Minutes of March 9, 2020**.

Mrs. Vitale seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley reminded all residents to maintain safe social distancing to continue to flatten the curve of the corona virus pandemic.

PROCLAMATION:

Mayor Conley virtually presented Jaime Conroy with the April is Autism Awareness Month Proclamation.

*Proclamation
of the
Borough of Madison*

Proclaiming
AUTISM AWARENESS MONTH
APRIL 2020

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; and

WHEREAS, while there is no cure for autism, it is well documented that if individuals with autism receive early and intensive treatment throughout their lives, they 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 can present; and

WHEREAS, Autism New Jersey, is spearheading an awareness 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 2020 as **Autism Awareness Month** and urge all residents to become better educated about autism to create a better community for individuals with autism.

Robert H. Conley, Mayor
April 13, 2020

EMPLOYEE OF THE MONTH FOR APRIL:

Marlene Dolan, Public Health Nurse for the Madison Health Department has been selected as Employee of the Month for April for her tremendous dedication and commitment, as well as her tireless efforts in handling the multitude of issues associated with the COVID-19 pandemic crisis.

REPORTS OF COMMITTEES

Finance and Borough Clerk

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

Mrs. Vitale noted a significant number of actions by Council impacting Finance Department. Staff is working alternating week at Hartley Dodge memorial and at home. Estimated tax bills will be issued in June and resolutions addressing tax collection will be listed on the April 27th agenda.

Regular Meeting Minutes – April 13, 2020

Public Safety

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

The Fire Department reports an increase in 'culinary' incidents, or minor kitchen fires. The Department thanks the many residents for their donations of masks, food and other items. Many thanks to Tom Haralampoudis for personal protection equipment (PPE). Along with the Police Department, the Fire Department visited many streets with the Easter Bunny on Sunday, April 12th, as well as, Morristown Memorial Children's Hospital. The Police Department reminds residents to continue social distancing.

Public Works and Engineering

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

The bid for reconstruction of Glenwild Road was awarded at the March 30th Council meeting. Reconstruction of Burnet Road is now advertised with an opening date of May 21st. The first phase of paving will be initiated in Madison the week of April 20th and be complete prior to the end of the month. Due to early school and business closures state wide, the school routes and commuter parking lots will be prioritized. April paving will include Cedar, DeHart, Walnut, Prospect Parking, and Kings Road Lot 3. A second phase of paving is planned for the balance of roads in the Mill and Overlay program prior to the end of summer.

Community Affairs

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

Mr. Hoover reported that the Senior Shopping Network is still working with 120 volunteers providing groceries to those at home. The Downtown Development Commission, along with the Main Street Foundation have begun a grant program addressing the economic damage to the local business community. A matching one for one program of up to \$50,000, for the MMF, will help business. To help support local businesses, residents are encouraged to send a check to the Madison Main Street Foundation. At this time, May Day activities are postponed and a new date will be announced, once confirmed. The Farmers' Market is scheduled to open June 11th at Dodge Field. Look for a new webpage 'Arts for Madison' with links to events and also to donate to Madison Arts.

Health

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

Ms. Coen noted that all early indications show decreasing numbers of positive cases of COVID -19. The Health Department remains open. School nurses are reporting to the Health Department to help with tracking each case and the Council continues to receive daily updates from Health Director Mike Fitzpatrick. The department tracks each positive case, but recoveries are more difficult to report correctly. Residents must wear face coverings, nonsurgical grade, in public place to help protect others. Morris County has a testing facility open at the County College of Morris. Residents are reminded to stay at home, continue social distancing, use face coverings, wash hands frequently, and if you don't feel well, contact your doctor. Stay connected, check in on elderly friends and neighbors and parents need to set good examples.

Utilities

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

The Electric Department is currently divided into two crews operating with reduced staffing on an alternate schedule to maintain social distancing protocol. On weather days like today, it's worth noting that the remote crew is available for additional support during an emergency. The Department installed an additional 50 kVA

Regular Meeting Minutes – April 13, 2020

(kilovolt-amp) transformer on Lathrop Avenue to address increased load demand based on new construction. The Electric Department disconnected power from the Dodge Field playground bathroom facility to prepare for demolition, in anticipation of the construction of the new facility. Despite reduced staffing, the Department continues to maintain the Substations daily, install service to new construction, and respond to residents' calls and concerns. As part of that ongoing maintenance, the Department pumped, cleaned, and inspected portions of our underground electrical infrastructure, and is continuing to organize and stock the new Butler building, which was constructed last year for indoor storage of electrical infrastructure components. The Water Department is also working in split shifts. Despite the slowdown in construction and other private sector activity, the department is still getting calls for routine shut-offs, meter changes, and utility location calls. The water department notes that they working hard with limited staffing to meet the needs of our water customers and keep up with the everyday maintenance and operation of the system to ensure safe drinking water for Madison residents and businesses.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated April 13, 2020 from Pat Rowe, of Pine Avenue, regarding the proposed municipal budget.

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.

Ms. Coen left the Council Meeting at 8:00 p.m.

AGENDA DISCUSSIONS

04/13/2020-1 COVID-19 RECOVERY SUPPORT

Mayor Conley announced efforts to assist residents in light of the recent COVID-19 pandemic, including rebate programs for Madison businesses and residents furloughed or terminated. Mrs. Vitale noted residents will receive a \$200 credit on their electric utility bills and reminded residents that a rebate program based on income is still available. Ms. Ehrlich explained a similar program for Madison businesses, with up to \$400 of credit on electric utility bills. Applications will be sent to customers in utility bills.

Mrs. Vitale moved approval of Resolution 121-2020. Ms. Ehrlich seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Ms. Coen

Regular Meeting Minutes – April 13, 2020

R 121-2020 RESOLUTION OF THE BOROUGH OF MADISON AMENDING R 57-2020 TO EXPAND THE ELECTRIC UTILITY REBATE PROGRAM FOR 2020 TO PROVIDE ASSISTANCE TO INDIVIDUALS FURLOUGHED OR TERMINATED AS A RESULT OF THE COVID-19 PANDEMIC

WHEREAS, the Borough Council previously recognized a need for the continuation of an Electric Utility Rebate Program based on certain income eligibility guidelines; and

WHEREAS, the COVID-19 pandemic has resulted in furloughs, termination, unemployment and economic hardship for many Madison residents; and

WHEREAS, the Borough Council finds that it is a benefit to expand the Borough of Madison Electric Utility Rebate Program and guidelines for the calendar year 2020 to include individuals furloughed or terminated due to the COVID-19 pandemic regardless of income.

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

1. The 2020 Electric Utility Rebate Program is hereby expanded to provide for assistance to eligible residents furloughed or terminated due to the COVID-19 pandemic, in the amount of \$200.00 as a one-time credit toward electric utility charges.

2. Borough Administration will develop guidelines and manage the program with the advice and consent of the Borough Attorney.

Ms. Ehrlich moved approval of Resolution 122-2020. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Ms. Coen

R 122-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE ELECTRIC UTILITY REBATE PROGRAM FOR MADISON BUSINESSES DUE TO THE COVID-19 PANDEMIC

WHEREAS, the Borough Council recognizes an immediate need for an Electric Utility Rebate Program to assist certain essential and non-essential businesses adversely affected by the COVID-19 pandemic and mandatory closures or shortened business hours; and

WHEREAS, the existing 2020 Electric Utility Rebate Program as revised only deals with individual customers and not businesses; and

WHEREAS, the Borough Council recognizes the urgent need to help the Madison business community.

Regular Meeting Minutes – April 13, 2020

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

1. A 2020 Electric Utility Rebate Program is hereby authorized for assistance to eligible Madison businesses in the amount of \$400.00 per business as a one-time credit toward electric utility charges.

2. Borough Administration will develop guidelines and manage the program with the advice and consent of the Borough Attorney.

04/13/2020-2 KINGS ROAD, PROSPECT STREET AND MAPLE AVENUE PARKING LOTS

Borough Engineer Robert Vogel provided information regarding milling and overlay projects planned for Borough parking areas, noting additional lots at Kings Road and Maple Avenue will be added to the project. Mayor Conley noted that with 'stay-at-home' orders in place, this is the ideal time to repair parking areas.

Mrs. Vitale motioned to included additional parking lot improvements to this year's paving projects. Ms. Baillie seconded the motion, which passed with a unanimous voice call vote recorded.

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 30, 2020, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

**ORDINANCE 10-2020
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$71,580.20 FROM THE MUNICIPAL OPEN SPACE TRUST FUND AS
MATCHING FUNDS FOR RESTORATION WORK AT THE MUSEUM OF
EARLY TRADES & CRAFTS**

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to provide matching funds for detailed restoration work to the interior of the Museum of Early Trades & Crafts (METC); and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$71,580.20 from the Open Space Trust Fund to satisfy a twenty (20%) percent match requirement for the Morris County Historic Preservation Trust grant; and

Regular Meeting Minutes – April 13, 2020

WHEREAS, the Open Space Advisory Committee has unanimously recommended the full funding of this request; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$71,580.20 for this purpose in the Open Space Trust Fund.

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 \$71,580.20 is hereby appropriated from the Open Space Trust Fund contingent upon the award of a Morris County Historic Preservation Trust grant for the Museum of Early Trades & Crafts (METC).

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

Mayor Conley opened up the public hearing on Ordinance 10-2020. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 10-2020, which was read by title, be finally 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, Ms. Byrne, Mr. Hoover, Mrs. Ehrlich

Nays: None

Absent: Ms. Coen

Mayor Conley declared Ordinance 10-2020 adopted and fully passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

ORDINANCE 11-2020

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$12,040.00 FROM THE MUNICIPAL OPEN SPACE TRUST FUND AS MATCHING FUNDS FOR ARCHITECTURAL PLANS AND SPECIFICATIONS AT THE MADISON MASONIC LODGE

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to provide matching funds for architectural plans and specifications for restoration of the Madison Masonic Lodge No.93 and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$12,040.00 from the Open Space Trust Fund to satisfy a twenty (20%) percent match requirement for the Morris County Historic Preservation Trust grant; and

WHEREAS, the Open Space Advisory Committee will consider ratification of this funding recommendation at their next regularly scheduled meeting; and

Regular Meeting Minutes – April 13, 2020

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$12,040.00 for this purpose in the Open Space Trust Fund.

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 \$12,040.00 is hereby appropriated from the Open Space Trust Fund contingent upon the award of a Morris County Historic Preservation Trust grant for the Madison Masonic Lodge No. 93.

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

Mayor Conley opened up the public hearing on Ordinance 11-2020. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 11-2020, which was read by title, be finally 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, Ms. Byrne, Mr. Hoover, Mrs. Ehrlich

Nays: None

Absent: Ms. Coen

Mayor Conley declared Ordinance 11-2020 adopted and fully passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 12-2020
CALENDAR YEAR 2020 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 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 2020 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 \$203,459.97 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

Regular Meeting Minutes – April 13, 2020

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 2020 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 \$712,109.90 and that the CY 2020 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.

Mayor Conley opened up the public hearing on Ordinance 12-2020. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 12-2020, which was read by title, be finally adopted. Ms. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Ms. Coen

Mayor Conley declared Ordinance 12-2020 adopted and fully passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

INVITATION FOR DISCUSSION (2 of 2)

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

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

Pat Rowe: Pine Avenue, asked that the Borough Council consider deferring the adoption of the municipal budget, consider lowering the Open Space Trust Fund tax and produce a single tax sheet to help resident understand the municipal budget.

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

The ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of April 27, 2020 in the 2nd Floor Council Chamber of the

Regular Meeting Minutes – April 13, 2020

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.

Mayor Conley called up Ordinance 13-2020 for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 13-2020 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$675,000.00 FROM THE WATER UTILITY CAPITAL
IMPROVEMENT FUND FOR MAIN, VALVE AND HYDRANT REPLACEMENT

WHEREAS, the Borough Engineer has recommended capital water infrastructure replacement projects for mains, valves and hydrants; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Utility Capital Improvement Fund in an amount not to exceed \$675,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$675,000.00 from the Water Utility Capital Improvement Fund for replacement projects for mains, valves and hydrants.

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 \$675,000.00 is hereby appropriated from the Water Utility Capital Improvement Fund for replacement projects for mains, valves and hydrants.

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 13-2020, 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, Ms. Byrne, Mr. Hoover, Mrs. Ehrlich

Nays: None

Absent: Ms. Coen

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.

Regular Meeting Minutes – April 13, 2020

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

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

Nays: None

Absent: Ms. Coen

R 113-2020 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING CONTRACT TO JO-MED CONTRACTING CORPORATION IN THE
AMOUNT OF \$140,900.49 FOR THE HIGHLAND AVENUE WATER MAIN
REPLACEMENT

WHEREAS, the Borough of Madison publicly advertised for bids for the Highland Avenue Water Main Replacement (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Assistant Borough Engineer has recommended that the Borough Council award the contract to the lowest qualified bidder Jo-Med Contracting Corporation in the amount of \$140,900.49; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$140,900.49 for this purpose which funds were appropriated by Ordinance 18-2018.

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

1. The contract for the Highland Avenue Water Main Replacement is hereby awarded to Jo-Med Contracting Corporation based upon its bid in the amount of \$140,900.49.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Jo-Med Contracting Corporation in a form acceptable to the Borough Attorney.

R 114-2020 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING
JACQUELINE CARDINI TO THE PART-TIME POSITION OF TAX ASSESSOR
FOR THE BOROUGH OF MADISON

WHEREAS, the Borough Administrator has recommended the appointment of Jacqueline Cardini, to the part time position of Acting Tax Assessor through December 31, 2020; and

WHEREAS, the Borough Administrator and Assistant Borough Administrator / CFO have recommended that Jacqueline Cardini was determined to be the most qualified for the position and all background checks have been completed; and

WHEREAS, the Borough Council agrees with this recommendation.

Regular Meeting Minutes – April 13, 2020

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Jacqueline Cardini, is appointed to the part time position of Acting Tax Assessor.

BE IT FURTHER RESOLVED, that Jacqueline Cardini, be compensated at an annual salary of \$26,000.00, with an increase of \$3,000.00 on January 1, 2021 upon satisfactory completion of the probationary period and her appointment at the 2021 reorganization meeting as Tax Assessor.

R 115-2020 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING HEATHER McCULLOCH TO THE POSITION OF SUMMER INTERN IN THE MADISON POLICE DEPARTMENT

WHEREAS, the QPA/Personnel Director has recommended the appointment of Heather McCulloch to the position of Summer Intern in the Madison Police Department; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Heather McCulloch is hereby appointed to the position of Summer Intern in the Madison Police Department at the hourly rate of \$12.00/hour, subject to the expiration of a Declaration of Emergency regarding the COVID-19 pandemic.

R 116-2020 RESOLUTION OF THE BOROUGH OF MADISON APPROVING JACOB HENRY PERKINS TRUST DISBURSEMENT

WHEREAS, the Borough Administrator recommends a grant from the Jacob Henry Perkins Trust (hereafter Perkins Trust) on behalf of M. M., a Borough resident; and

WHEREAS, the Borough Administrator has advised the Borough Council that M. M. meets the criteria for a Perkins Trust grant; and

WHEREAS, the Borough Council has determined to approve the request for a Perkins Trust grant in the amount of \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a one-time grant is hereby approved from the Perkins Trust in the amount of \$5,000.00, for the benefit of M. M., to be disbursed by the Finance Department in a lump sum.

Regular Meeting Minutes – April 13, 2020

R 117-2020 SELF-EXAMINATION OF BUDGET RESOLUTION

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Madison has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

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

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

Regular Meeting Minutes – April 13, 2020

Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

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

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

R 118-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF BOROUGH CELL PHONES AND TABLETS THROUGH THE NEW JERSEY COOPERATIVE PRICING SYSTEM

WHEREAS, the Borough of Madison desires to award a contract for the purchase of Borough cell phones and tablets through the New Jersey Cooperative Pricing System program; and

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

WHEREAS, Verizon Wireless, of New York, NY, has been awarded the New Jersey Cooperative Pricing System contract number T216A/82583, Wireless Devices and Services; and

WHEREAS, the Borough Qualified Purchasing Agenda/Personnel Director has recommended that the Borough Council utilize this contract for the purchase of Borough cell phones and tablets; and

WHEREAS, funds are available in an account deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. A contract with Verizon Wireless, of New York, NY for the purchase of Borough cell phones and tablets, in an amount not to exceed \$40,000.00 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 Verizon Wireless, of New York, NY, for the purchase of Borough cell phones and tablets, in a form acceptable to the Borough Attorney.

Regular Meeting Minutes – April 13, 2020

R 119-2020 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO RICHARD WOLOWICZ OF RICHVIEW CONSULTING FOR MUNICIPAL ARBORIST SERVICES

WHEREAS, the Qualified Purchasing Agent/Personnel Director has recommended award of a contract to Richard Wolowicz, Arborist, for municipal arborist services as required by Ordinance 3-2020, ‘Tree Protection Ordinance’; and

WHEREAS, Richard Wolowicz, Richview Consulting has submitted a proposal for municipal arborist services in the amount of \$82.00 per hour; and

WHEREAS, said services would constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$82.00 per hour for this purpose in Account 303/215 (Shade Tree).

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 Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with Richard Wolowicz, Richview Consulting, Arborist, for municipal arborist services in the amount of \$82.00 per hour through December 31, 2020, in a form acceptable to the Borough attorney.

2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 120-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION AND APPLICATION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Madison has previously obtained a grant of \$3,375,000 from the State to fund the following project(s):

#1417-04-009: Madison Borough Open Space Acquisition; and

WHEREAS, the State and the Borough of Madison intend to increase Green Acres funding by \$500,000; and

Regular Meeting Minutes – April 13, 2020

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Madison Borough Council OF THE Borough of Madison IN THE COUNTY OF Morris AND STATE OF NEW JERSEY THAT:

1. The Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as #1417-04-009 (Madison Borough Open Space Acquisition), and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$3,875,000.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

R 121-2020 RESOLUTION OF THE BOROUGH OF MADISON AMENDING R 57-2020 TO EXPAND THE ELECTRIC UTILITY REBATE PROGRAM FOR 2020 TO PROVIDE ASSISTANCE TO INDIVIDUALS FURLOUGHED OR TERMINATED AS A RESULT OF THE COVID-19 PANDEMIC

WHEREAS, the Borough Council previously recognized a need for the continuation of an Electric Utility Rebate Program based on certain income eligibility guidelines; and

WHEREAS, the COVID-19 pandemic has resulted in furloughs, termination, unemployment and economic hardship for many Madison residents; and

WHEREAS, the Borough Council finds that it is a benefit to expand the Borough of Madison Electric Utility Rebate Program and guidelines for the calendar year 2020 to include individuals furloughed or terminated due to the COVID-19 pandemic regardless of income.

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

1. The 2020 Electric Utility Rebate Program is hereby expanded to provide for assistance to eligible residents furloughed or terminated due to the COVID-19 pandemic, in the amount of \$200.00 as a one-time credit toward electric utility charges.

Regular Meeting Minutes – April 13, 2020

2. Borough Administration will develop guidelines and manage the program with the advice and consent of the Borough Attorney.

R 122-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE ELECTRIC UTILITY REBATE PROGRAM FOR MADISON BUSINESSES DUE TO THE COVID-19 PANDEMIC

WHEREAS, the Borough Council recognizes an immediate need for an Electric Utility Rebate Program to assist certain essential and non-essential businesses adversely affected by the COVID-19 pandemic and mandatory closures or shortened business hours; and

WHEREAS, the existing 2020 Electric Utility Rebate Program as revised only deals with individual customers and not businesses; and

WHEREAS, the Borough Council recognizes the urgent need to help the Madison business community.

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

1. A 2020 Electric Utility Rebate Program is hereby authorized for assistance to eligible Madison businesses in the amount of \$400.00 per business as a one-time credit toward electric utility charges.

2. Borough Administration will develop guidelines and manage the program with the advice and consent of the Borough Attorney.

R 123-2020 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTICIPATION IN THE MORRIS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Morris County is eligible to receive Federal funds available through the Department of Housing and Urban Development; and

WHEREAS, in order to receive certain Federal funds which are potentially available to the County of Morris under the Community Development Block Grant Program, and the HOME Investment Partnerships Program authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act, Federal Register, Vol. 56, No. 143, dated July 2, 1991; and

WHEREAS, an agreement has been proposed under which the Borough of Madison and the County of Morris will form a consortium by establishing a cooperation agreement for Federal Fiscal Years 2021, 2022 and 2023; and direct its activities to the elimination of housing problems

Regular Meeting Minutes – April 13, 2020

within New Jersey in accordance with the housing goals and strategies outlined in the Morris County Consolidated Plan.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Madison in the County of Morris, in the State of New Jersey, being the governing body thereof, as follows:

1. The agreement entitled, “AGREEMENT BETWEEN THE COUNTY OF MORRIS AND CERTAIN MUNICIPALITIES LOCATED THEREIN ESTABLISHING A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT AND HOME ACTIVITIES” PROGRAM” pursuant to the National Affordable Housing Act of 1990, a copy of which is on file in the County of Morris, Department of Human Services, Division of Community & Behavioral Health Services, Office of Community Development, shall be executed by the Borough of Madison as well as the Freeholder Director of the County of Morris and Clerk of the Board of Chosen Freeholders in accordance with the provisions of the law.
2. This resolution shall take effect in accordance with the law.

R 124-2020 RESOLUTION OF THE BOROUGH OF MADISON AMENDING COLLECTION AFFORDABLE HOUSING DEVELOPMENT FEES IN RESPONSE TO THE COVID-19 PANDEMIC EMERGENCY

WHEREAS, the Construction Code Official has recommended the Borough adopt a resolution to amend the collection process for affordable housing development fees, in response to the COVID-19 pandemic; and

WHEREAS, Section 195-46(G) of the Borough Code currently provides that 50% of such fees be collected at the time of issuance of the building permit with the remaining 50% collected at issuance of the certificate of occupancy; and

WHEREAS, the fee to be collected is calculated by the Borough Tax Assessor which position is currently vacant due to a retirement with our new Acting Tax Assessor not starting work until April 17, 2020; and

WHEREAS, the recommended initial fee will be \$3,000.00 for residential building permits until the pandemic emergency has ended; and

WHEREAS, the Borough Council has reviewed said request and determined that it should be granted.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the initial affordable housing development fee set forth in section 195-46(G) of the Borough Code is hereby amended to \$3,000 per residential building at the issuance of a building permit with the remainder to be paid at issuance of Certificate of Occupancy.

Regular Meeting Minutes – April 13, 2020

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

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

Current Fund	\$177,155.81
General Capital Fund	7,455.80
Electric Operating Fund	67,503.68
Electric Capital Fund	1,741.87
Water Operating Fund	2,664.36
Water Capital Fund	0.00
Trusts	<u>10,633.35</u>
Total	<u>\$267,154.87</u>

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

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

Nays: None

Absent: Ms. Coen

NEW BUSINESS

Mayor Conley announced the following appointment:

ENVIRONMENTAL COMMISSION

Bridget Dailey, Keep Street, unexpired three-year term through December 31, 2020.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved April 27, 2020 (EO)