

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

**April 23, 2018 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 23<sup>rd</sup> day of April, 2018. 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 11, 2018. This Notice was made available to members of the general public.”

**ROLL CALL**

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale  
Astri J. Baillie  
Benjamin Wolkowitz  
Patrick W. Rowe  
Maureen Byrne  
John F. Hoover

Also Present:

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

**AGENDA REVIEW**

There was approval of the Regular and Executive Agenda.

**READING OF CLOSED SESSION RESOLUTION**

Mr. Rowe moved:

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

MINUTES FOR APPROVAL (1)

None

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

CONTRACT MATTERS (1)

JOINT MEETING UPDATE

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

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LITIGATION MATTERS (1)

AFFORDABLE HOUSING UPDATE

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

PERSONNEL MATTERS (3)

DEPARTMENT HEAD COMPENSATION

POLICE DEPARTMENT PERSONNEL MATTER

CHIEF LINEMAN

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

Seconded: Mrs. Vitale

Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

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

Mayor Conley asked for a moment of silence for long time resident, Borough Historian and Senior Citizen Advisory Committee member Kay Leary.

**APPROVAL OF MINUTES - NONE**

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

Mayor Conley invited Michael Turano, a fourth grader at Central Avenue School and his family forward and announced that Michael as this year's May Day tee-shirt contest winner. Mayor Conley presented Michael with a framed tee shirt and thanked him for a job well done.

**PROCLAMATIONS:**

Mayor Conley presented a proclamation to Mrs. Osborne in celebration of Municipal Clerk's Week.

*Proclamation*  
*of the*  
*Borough of Madison*

*Recognizing*

*MUNICIPAL CLERKS WEEK*  
*MAY 6 THROUGH MAY 12, 2018*

**WHEREAS**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, the Office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

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**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS**, the Municipal Clerk serves as the information center on functions of local government and community; and

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk, notably Elizabeth Osborne, Patty Macaluso and Mary Vaccarello;

**NOW, THEREFORE**, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby recognize the week of May 6 through May 12, 2018, as **Municipal Clerks Week**, and further extend appreciation to our Municipal Clerk, Elizabeth Osborne, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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Robert H. Conley, Mayor  
April 23, 2018

Council members presented a proclamation to Mayor Conley in honor of his achievement receiving the *2018 Leadership Morris Alumni Achievement Award*.

*Proclamation*  
*of the*  
*Borough of Madison*  
*Recognizing*  
*MAYOR ROBERT H. CONLEY*  
*Morris County Chamber of Commerce*  
*2018 Leadership Morris Alumni Achievement Award*

**WHEREAS**, one of eleven children, Robert Conley is a lifelong resident of Madison, where he and his wife Marjorie (Titi) have also raised their two sons; and

**WHEREAS**, Vice President and Capital Project Director of the Madison Area YMCA and past president of Chapter 17 of the Association of YMCA Professionals, Bob has worked at the YMCA since volunteering there in high school; and

**WHEREAS**, having served two terms on the Borough Council, Bob has been leading the Borough of Madison as Mayor since 2012, after being elected the first democratic mayor in twenty years, and is now serving his second term as mayor; and

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**WHEREAS**, an innovative leader, Mayor Robert Conley worked together with Steve Rusckowski of Quest Diagnostics and Dr. Vivian Bull of Drew University as the Founding Chairs to form the Chief Executive Council for Madison to promote stakeholder collaboration, corporate impact and education leadership; and

**WHEREAS**, the Chief Executive Council for Madison was presented the Award for Innovation in Governance by the State of New Jersey Department of Community Affairs recognizing an exemplary local government program that provides innovative and practical approaches to solving municipal problems and concerns; and

**WHEREAS**, Bob is devoted to numerous community and professional organizations, among which is membership for over twenty-five years in the Rotary Club of Madison including service as a past president; and

**WHEREAS**, the Leadership Morris Alumni Council of the Morris County Chamber of Commerce is saluting the accomplishments of Robert H. Conley by honoring him with the “**2018 Leadership Morris Alumni Achievement Award**” at the Good Morning Morris Breakfast on April 25, 2018;

**NOW, THEREFORE**, the Governing Body of the Borough of Madison hereby extends sincere congratulations to Mayor Robert H. Conley as recipient of the **2018 Leadership Morris Alumni Achievement Award** and recognizes his dedicated commitment to the community.

*Members of the Madison Borough Council*

April 23, 2018

### ***Kings Road School Student Presentation – Green Vision***

Fourth and Fifth Grade students from the Kings Road School presented a video showing their efforts to make the school and community greener. Students sang and danced to the music “Can’t Stop the Greening”.

### **REPORTS OF COMMITTEES**

#### **Health**

Mr. Rowe, Chair of the Committee, made the following comments:  
National Infant Immunization Week (NIIW) is held April 21<sup>st</sup> through the 28<sup>th</sup>. The Health Department reminds everyone that vaccinations are recognized as one of the top ten public health accomplishments of 20<sup>th</sup> century. Our Health Department participates in vaccination programs for children as well as adults on a regular basis. Up-coming screenings for residents include Women’s Health screening on Monday, May 7<sup>th</sup> and Men’s Health screening on Monday, June 11<sup>th</sup>. A Comprehensive Metabolic Profile (CMP)/ blood analysis will be held Thursday, June 7<sup>th</sup> and June 14<sup>th</sup>. Please call the Health Department for appointments for these free programs. Investigations are ongoing regarding the recent cases of E. coli illness with romaine lettuce from Arizona as a possible source. This is considered to be a multistate outbreak with 53 cases reported as of April 21<sup>st</sup> including seven in New Jersey. The new Madison Bagel received its final health approval and will be officially opening on Wednesday, April 25<sup>th</sup>.

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### **Public Works and Engineering**

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

The Borough has been noticed by Public Service Electric & Gas Co of a plan to advance the Mill and Overlay of Main Street using subcontractor Tilcon NY Work will be done evenings from 8:00 pm to 5:00 am starting Monday April 30<sup>th</sup>. This work will generally resurface half the roadway disturbed by the gas main and service replacements. PSEG will then pave Green Avenue and several other local Madison streets affected by utility construction such as Delbarton Drive, Treadwell Avenue, Nordling Lane, Laurel Way, and Surrey Lane. Beginning the second week in May the Borough of Madison will initiate repaving operations at Barnsdale Road, Winding Way, Keep Street and Kings Road. 2018 Road Improvement construction will also start in May with MidWest Construction beginning work on Greenwood Avenue, and Cifelli & Sons beginning work on Rosewood Drive, Crestwood Drive and Kensington Road. The 2018 Sanitary Sewer Cleaning, Video and Repair contracts will be advertised and bids are scheduled to be opened on Thursday May 24<sup>th</sup> at 10:00 am. The Building Department has reported 373 construction permits issued, 1395 inspections completed, 54 Certificates of Occupancy issued and 129 requests for public records filled so far this month.

### **Finance and Borough Clerk**

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

From the Payroll Department, the first quarterly employee pension payments have been sent to the State. The Payroll Department continues to work with Department Heads to implement the new Primpoint payroll system. The CFO reports working that through the Morris Joint Insurance Fund, he is working to reduce Workers Comp claims, implementing a new formal reporting system, as well as a new cyber risk program. Tonight, Council will hold the annual Budget hearing. The 2018 budget process began in August of 2017; the Council has held several hearings and all presentation are available on Rosenet.org. Tonight, we welcome input from residents. Ms. Baillie thanked CFO Jim Burnet and Administrator Ray Codey as well as the Council for their efforts in the budget process.

### **Public Safety**

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

The Madison Police Department recently received \$5,116.70 from the Morris County Prosecutors Office forfeiture fund account for seized assets by Madison Officers for the year 2017. These funds are used with the permission from the County Prosecutors Office for items that help police agencies in the performance of their duties. Madison Officers will be teaching the 'Not Even Once' curriculum to high school students starting in May. 'Not Even Once' is a program designed to raise awareness and prevent drug usage, specifically opiates by high school students. The program was created and implemented in New Jersey by the Manchester Township Police Department. Its purpose is to provide realistic information to young adults so that they can make informed decisions about how to avoid using drugs. Officers do not wear uniforms to reduce the authoritative role and create a relaxed atmosphere between the students and the officers except for the last day of class. The program is set into three days of instruction that is in accordance with high school curriculum standards. Volunteer Firefighters Evan Webb, Bryam Castano and Mike Coyne completed a 20 hour Firefighter Safety and Survival class this past weekend at the Morris County Fire Academy. They learned self rescue techniques and how to rescue a trapped firefighter in many different situations. Tonight, members of Fire Department are at the Morris County Fire Academy for "Live Burn" training. Firefighters will be challenged with different fire situations utilizing the Academy's burn building. Women's World, in the "Heroes in Uniform" section of the

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magazine has published an article in their April 16<sup>th</sup> edition on the recent rescue of Teddy the Beagle by Madison Firefighters from an underground well on Maple Avenue.

### **Community Affairs**

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

The Community Garden Advisory Committee is planning for the 2018 season. Four whole and one ½ plots are still available. Downtown Development Commission is working on a new signage application. Eleven new businesses have recently opened. The 2018 Farmers' Market will begin Thursday, May 31<sup>st</sup> to October 25<sup>th</sup>, from 2:00 pm to 7:00 pm on Central Avenue. Madison will be hosting its forth Home Expo on Saturday, April 28th from 10:00am-3:00pm at the Madison Junior School.

The event is free of charge to the public and is presented by the Madison Chamber of Commerce. The Chamber has published 10,000 packet maps of Madison. The Senior Center has planned a trip to the Pennsylvania winery "Vynecrest" for Thursday, June 14<sup>th</sup>.

### **Utilities**

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

The Water Department continues to perform State mandated water testing and mark outs for underground water lines. They also continue shut-downs for water main tie-ins. The Electric Department, along with their usual services, continues post storm clean up. Smart meters have been installed at the James Park substation.

### **BUDGET HEARING**

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on the proposed municipal budget.

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

### ***R 132-2018* RESOLUTION OF THE BOROUGH OF MADISON FINALLY ADOPTING THE 2018 BUDGET AND TAX RESOLUTION**

Ms. Baillie moved that Resolution R 132-2018, which Mayor Conley read by title, be finally adopted. Mrs. Vitale seconded the motion.

Mr. Hoover noted the transparency of the budget process. Mr. Wolkowitz noted that from start to finish the budget process has been amiable and transparent. Ms. Byrne and Mrs. Vitale thanked the CFO and Administrator for their efforts. Ms. Baillie thanked the CFO for the budget presentations. There was no further Council discussion, and the motion passed with the following roll call vote recorded:

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

### ***COMMUNICATIONS AND PETITIONS***

The Borough Clerk announced receipt of the following communications:  
Email dated April 23, 2018, from Steven McCann, Green Avenue, regarding proposed Ordinance 26-2018.

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**INVITATION FOR DISCUSSION (1 of 2)**

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

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

**AGENDA DISCUSSIONS**

**04/23/2018-1 MORRIS COUNTY PARKS COMMISSION TRAILS GRANT APPLICATION**

Ms. Baillie noted that the Borough's Master Plan recommends a series of trails for the MRC, including ADA compliant trails for handicapped use, as well as use by walkers with strollers, etc. Working with the Land Conservancy of NJ, the Open Space Advisory Committee would like to submit a grant request to Morris County. There was agreement to list a resolution supporting on the Consent Agenda.

Resolution 133-2018 is listed on the Consent Agenda.

**ADVERTISED HEARINGS**

The Clerk made the following statement:

The Ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on April 9, 2018, was introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinance 24-2018 for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 24-2018**

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 25 OF THE MADISON BOROUGH CODE ENTITLED "OPEN SPACE, RECREATION AND HISTORIC PRESERVATION ADVISORY COMMITTEE"**

**WHEREAS**, the Open Space, Recreation and Historic Preservation Committee has recommended revision of Chapter 25 of the Borough Code Entitled: "Open Space, Recreation and Historic Preservation Advisory Committee"; and

**WHEREAS** the Borough Council agrees with this recommendation to revise Chapter 25 of the Borough Code.

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

**SECTION 1:** Chapter 25 of the Borough Code entitled "Open Space, Recreation and Historic Preservation Advisory Committee" is hereby amended as follows:

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§25-1        **The Committee shall consist of eleven (11) members.**  
§25-3 A (8). **One member of the Shade Tree Management Board.**

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

Mayor Conley opened up the public hearing on Ordinance 24-2018. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 24-2018, 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, Mr. Wolkowitz,  
      Mr. Rowe, Ms. Byrne, Mr. Hoover  
Nays: None

Mayor Conley declared Ordinance 24-2018 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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

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

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

**Steven McCann; Green Avenue**, raised concern regarding proposed Ordinance 26-2018, noting a lack of information on the ordinance as presented.

**Jesse Esposito; Community Place**, asked that parking on Community Place be addressed, suggesting no parking one side and limited parking on the other.

***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 May 14, 2018 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 25-2018    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$50,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT  
FUND FOR THE HARTLEY DODGE MEMORIAL UNDERGROUND STORAGE  
TANK SITE REMEDIATION COMPLIANCE

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**WHEREAS**, the Borough Engineer has recommended that the Borough appropriate \$50,000.00 from the General Capital Improvement Fund for Hartley Dodge Memorial Underground Storage Tank Site Remediation Compliance; 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 \$50,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$50,000.00 from the General Capital Improvement Fund for Hartley Dodge Memorial Underground Storage Tank Site Remediation Compliance.

**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 \$50,000.00 is hereby appropriated from the General Capital Improvement Fund for Hartley Dodge Memorial Underground Storage Tank Site Remediation Compliance.

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

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

Mrs. Vitale moved that Ordinance 25-2018, 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: Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz,  
Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

ORDINANCE 26-2018 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 195 LAND DEVELOPMENT ORDINANCE FOR THE  
BOROUGH

**WHEREAS**, Mayor and Council having determined that it would be appropriate to undertake certain amendments to Chapter 195 of the Borough Code regarding Land Development Regulations and Requirements; and

**WHEREAS**, the Mayor and Council having referred the proposed amendment to the Planning Board for the Borough of Madison for the Planning Board to determine whether the proposed revisions and amendments are inconsistent with the Master Plan and to obtain any recommendations regarding such inconsistencies if any are found, and for such other recommendations as the Planning Board may deem appropriate; and

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**WHEREAS**, the Planning Board for the Borough of Madison having issued a resolution and returned same to the Mayor and Council being the report of the Planning Board pursuant to N.J.S.A. 40:55D-26(a) that the Planning Board specifically finds such proposed amendments and revisions to be fully consistent with the goals and purposes of the Master Plan for the Borough of Madison, with the recommendation of the Planning Board that Mayor and Council now favorably consider and enact the amendments and revisions referred to the Planning Board by Mayor and Council; and

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

SECTION 1: Chapter 195 of the Madison Borough Code regarding Land Development is hereby amended as follows:

Section 195-7

**GRADE**

A reference plane representing the average of ground levels/elevations in a given area. In the case of grade adjoining a structure at exterior walls, the reference plane shall be established by: the lowest points within the area between the structure and the property line as determined by perpendicular offset from the structure wall; or, where the property line is more than 10 feet perpendicular from the structure, then the lowest points between the structure and within 10 feet; or, where a public road exists within 50 feet of the structure, the lowest points will include the pavement level of the public road. Ground levels are to be averaged at no more than 10-foot intervals, and include all building corners or a perpendicular distance therefrom.

Section 195-30B

No building or structure shall be erected, restructured, or structurally altered to exceed in height the limit designated in the district in which such building or structure is located.

Section 195-32

A. Purpose. The purpose of these zones is to preserve the integrity of existing residential areas by preventing the intrusion of nonresidential uses into residential neighborhoods and by maintaining existing development intensity, character, and population density, consistent with residential neighborhood patterns.

B. Principal permitted uses.

- (1) Single-family detached dwellings.
- (2) Public parks and playgrounds.
- (3) Two-family dwellings (only in R-4 Residential Zone).

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C. Accessory uses.

- (1) Uses which are customarily incidental and accessory to the principal use as permitted herein, including home occupations.

D. Conditional uses.

- (1) Assisted-living residences.
- (2) Long-term care facilities.
- (3) Institutional uses.
- (4) Home occupations.

E. Supplemental Bulk and Design Regulations.

- (1) In no event shall the maximum height for detached single- or two-family dwellings, as measured to the highest point of the ridgeline of a roof, exceed 40 feet, measured from any point around the building.
- (2) In the R-1 and R-2 Districts, the minimum side yard setback shall be 20 feet for one-story buildings up to 18 feet in height. The minimum side yard setbacks for a second story, or any building component greater than 18 feet in height, shall be increased by a combined 5 feet across both side yards or at least 2.5 feet if an addition affects one side yard.
- (3) Attached garages:
  - (a) Attached garages facing and opening onto a public street shall be prohibited in the R-1 and R-2 Residential Zone Districts.
  - (b) Attached garages facing and/or opening onto a public street shall be limited to 14 feet in width for single-family homes in the R-3 and R-4 Districts.
  - (c) Not more than 3 attached residential garage spaces shall be permitted in the R-1 or R-2 Districts, and no more than 2 attached garage spaces shall be permitted per lot in the R-3 and R-4 Districts.
  - (d) Garages facing and opening onto a public street shall be set back a minimum of an additional five feet from the front building line for any garage greater than 12 feet in width, and a minimum of three feet for any garage that is 12 feet in width or less, unless an unenclosed front porch of at least five (5) feet in depth is proposed for the balance of the front façade.
- (4) Where more than one single or two-family home is proposed, building plans and elevations shall show a variation in design to be achieved by types of roofs, heights of eaves and peaks, building materials, and architectural treatment of the building façades.

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Section 195 – Attachment 1

Add new Row at End of 195 Attachment I Table, for Gateway Zone with “Gateway Zone” text added to the column entitled Zone, and the following text added across the remaining columns (combined column) that reads “See 195-32.13.”

Add Note r. (Note re: codification: Notation “r” to be added to Schedule I in Zone Column for R-1, R-2, R-3, R-4 Single-Family and R-4 Two-Family): r. See 195-32E for additional setback, height, and design requirements.

SECTION 2: This Ordinance shall take effect upon adoption.

Ms. Baillie moved that Ordinance 26-2018, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. Ms. Baillie noted discussion for some time by both the Planning Board and the Council of proposed changes. Mr. Rowe raised concern regarding timing, suggesting proposed changes as part of the Master Plan. Ms. Byrne expressed concern regarding changes to the character of neighborhoods. Mr. Wolkowitz noted that this issue is neither new nor unique to Madison, and suggested look at other communities to see what has worked. Mr. Hoover raised concern regarding non conforming existing homes. Ms. Baillie will bring all concerns to the Planning Board. There was no further Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: Mr. Rowe

**ORDINANCE 27-2018    ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 185-32 OF THE BOROUGH CODE TO INCLUDE TIME  
LIMIT RESTRICTIONS FOR PARKING ON JOHN AVENUE**

**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 road listed below:

**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>
John Avenue	Both	2 hours	Entire Length

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

Mr. Wolkowitz moved that Ordinance 27-2018, which the Borough Clerk read by title, be adopted. Mr. Hoover seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

Mr. Rowe moved adoption of the Resolutions listed on the Consent Agenda. Mrs. Vitale seconded the motion. Ms. Baillie abstained from voting on Resolutions R142-2018, R 148-2018 and R 149-2018. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

R 133 -2018 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING LETTER OF INTENT FOR A GRANT FROM MORRIS COUNTY FOR TRAIL CONSTRUCTION AT THE MADISON RECREATION CENTER

**WHEREAS**, the Borough of Madison wishes to support a grant application, to Morris County, for ADA trail construction at the Madison Recreation Center; and

**WHEREAS**, the Borough of Madison agrees to advance fund 100% of the project cost and provide a twenty (20%) per cent match if the grant is approved; and

**WHEREAS**, the Borough Administrator has recommended that the Council authorize the issuance of a letter of intent for the grant application to Morris County and the execution of any subsequent Grant Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Mayor is hereby authorized to execute a Letter of Intent to Morris County, for ADA trail construction at the Madison Recreation Center.

R 134-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING GOOD GRIEF INC. TO HOLD A 5K RUN AT GIRALDA FARMS ON SUNDAY, JUNE 3, 2018

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**WHEREAS**, Good Grief, Inc. has requested permission to use portions of Laurel Way, Woodland Road, Treadwell Avenue, and Madison Avenue in connection with a benefit 5k run at Giralda Farms; and

**WHEREAS**, the Police Chief recommends approval of this request; and

**WHEREAS**, Good Grief, Inc. has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; 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 Good Grief, Inc. is hereby granted permission to use portions of Laurel Way, Woodland Road, Treadwell Avenue, and Madison Avenue in connection with the 5k Run to be conducted on Sunday, June 3, 2018, between the hours of 7:00 a.m. and 2:00 p.m. subject to the condition that Good Grief, Inc. reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

R 135-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO HANNON FLOORS OF UNION, NJ IN THE AMOUNT OF \$27,862.00

**WHEREAS**, the Senior Center Director and the Qualified Purchasing Agent recommend awarding a contract to Hannon Floors of Union, NJ for replacement flooring at the Madison Civic Center in the amount of \$27,862; and

**WHEREAS**, the Chief financial Officer has attested that funds will be available in an amount not to exceed \$27,862.00 for this purpose which funds were appropriated by Ordinance 42-2017 and the Senior Center and Department of Public Works operating budgets.

**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 is hereby awarded to Hannon Floors of Union, NJ for replacement flooring at the Madison Civic Center in the amount of \$27,862.00.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with Hannon Floors of Union, NJ in a form acceptable to the Borough Attorney.

R 136-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY OWNER'S LICENSE FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2018

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**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 2018:

<u>License No.</u>	<u>Name</u>	<u>Vehicles</u>
2018-7L 2018-8L 2018-9L 2018-10L	Precise Limousine Transport Service LLC	4 Liveries

R 137-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY DRIVER'S PERMIT FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2018

**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 2018:

<u>License No.</u>	<u>Name</u>
2018-2D	Carmine Fornaro Precise Limousine Transport Service LLC

R 138-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY BAROQUE ORCHESTRA OF NEW JERSEY

**BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following application for Raffles License, to be held as listed below, be and the same is hereby approved:

BAROQUE ORCHESTRA OF NEW JERSEY  
I.D. No. 323-5-41099  
R.A. No. 1438 – On Premise  
May 19, 2018  
August 11, 2018

R 139-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR THE MADISON COMMUNITY POOL REGISTRATION

**WHEREAS**, the Trustees of the Madison Community Pool have requested permission to put up temporary signs advertising annual registration for the 2018 season; and

**WHEREAS**, the signs would be located on public property to promote registration, commencing on May 1, 2018 and removed by May 31, 2018; and

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

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**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the request of the Trustees of the Madison Community Pool to put up temporary signs as described herein from May 1, 2018 to May 31, 2018, is approved.

**R 140-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING KEVIN HUMES TO THE POSITION OF SUBSTITUTE CROSSING GUARD**

**BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Kevin Humes is hereby appointed to the position of substitute crossing guard, effective immediately.

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Madison, that he be compensated in accordance with the Borough of Madison Resolution establishing the salaries for part-time, school crossing guards.

**R 141-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING STEPHEN M. DEHAVEN TO THE POSITION OF PER DIEM DISPATCHER**

**WHEREAS**, the Chief of the Madison Police Department recommends the appointment of Stephen M. DeHaven to the position of Per Diem Dispatcher; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Stephen M. DeHaven is hereby appointed to the position of Per Diem Dispatcher effective immediately; and

**BE IT FURTHER RESOLVED**, that Stephen M. DeHaven be compensated at the rate of \$22.50 per hour.

**R 142-2018 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF SUMMER INTERNS**

**WHEREAS**, the Purchasing/Personnel Officer has recommended appointment of Summer Interns for Borough departments as follows:

<u>Name</u>	<u>Department</u>	<u>Rate of Pay</u>
Shawn Backe	Nature Nuts Director	\$14.00/hour
Steven Coppola	Department of Public Works	\$12.00/hour
Jack Kellogg	Environmental Intern	\$12.00/hour
Jonathan Zapata	Police Department	\$12.00/hour

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**WHEREAS**, the Borough Council agrees with these recommendations.

**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 Summer Interns set forth herein are hereby appointed at the listed rates effective immediately.

R 143-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING POLICE UNITY BIKE TOUR TO RAISE AWARENESS OF FALLEN LAW ENFORCEMENT OFFICERS, MAY 9, 2018

**WHEREAS**, the Borough Administrator has recommended authorizing the request of the Madison Police Department for the 2018 Police Unity Bike Tour to raise awareness of Fallen Police Officers, to ride through the Borough of Madison, on Wednesday, May 9, 2018; 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 in the State of New Jersey that the 2018 Police Unity Bike Tour to raise awareness of Fallen Police Officers as requested by the Madison Police Department is hereby authorized to be held on Wednesday, May 9, 2018 and all residents and merchants are encouraged to support the event with their attendance.

R 144-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SANDY HOOK BIKE RIDE ON WASHINGTON DC TO RAISE AWARENESS OF GUN VIOLENCE, MAY 5, 2018

**WHEREAS**, the Borough Administrator has recommended authorizing the request of the Madison Police Department for the Sandy Hook Bike Ride to Washington D.C., to come through the Borough of Madison, on Saturday, May 5, 2018; 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 in the State of New Jersey that the Sandy Hook Ride to Washington D.C. to raise awareness of gun violence, as requested by the Madison Police Department, is hereby authorized to be held on Saturday, May 5, 2018 and all residents and merchants are encouraged to support the event with their attendance.

R 145-2018 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING PAYMENT #2 AND CHANGE ORDERS #3 AND #4 TO JO MED CONTRACTING CORP. FOR THE CENTRAL AVENUE WATER MAIN REPLACEMENT PROJECT

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**WHEREAS**, the Assistant Borough Engineer has advised the Council that changes in water main replacement work on Central Avenue were encountered during the Central Avenue Water Main Replacement project; and

**WHEREAS**, the Assistant Borough Engineer has recommended that based on said change orders, the base contract with Jo Med Contracting Corp. shall be increased by \$10,060.62 (1.17%) which results in no additional appropriation being needed; and

**WHEREAS**, the Council wishes to authorize disbursement of Payment #2 and Change Orders #3 and #4 in the cumulative amount of \$327,330.00; and

**WHEREAS**, the Chief Financial Officer has confirmed that adequate funds for this purpose are contained in Ordinance 38-2017 (W-06-55-612-602).

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that payment in the amount of \$327,330.00 to the Jo Med Contracting Corp. contract for the Central Avenue Water Main Replacement project is approved.

R 146-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING RONALD MEYER TO THE POSITION OF CHIEF LINEMAN

**WHEREAS**, the Electric Utility Superintendent and the Personnel Director/QPA have recommended hiring Ronald Meyer for the position of Chief Lineman in the Electric Utility Department; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Ronald Meyer is hereby appointed to the position of Chief Lineman in the Electric Utility Department, effective immediately, to be compensated in accordance with the current Collective Bargaining Agreement for Electric Utility Department Employees.

R 147-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY FIRST BAPTIST CHURCH OF MADISON

**BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following application for Raffles License, to be held as listed below, be and the same are hereby approved:

FIRST BAPTIST CHURCH OF MADISON  
I.D. No. 274-1-26675  
R.A. No. 1439 – Off Premise 50/50  
October 6, 2018

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**R 148-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MEMBERSHIP IN THE 2018-2019 EMPLOYEE WELLNESS PROGRAM THROUGH THE MADISON YMCA**

**WHEREAS**, the QPA/Personnel Director recommends that the Borough continue to offer employees and volunteers opportunities for wellness including assistance to become healthier and more productive employees; and

**WHEREAS**, the Borough of Madison desires to contract with the Madison YMCA for a partially subsidized employee wellness program, to offer the benefit of a discounted membership to employees. Participating employees would pay a portion of the membership fees. The Borough contributions would not exceed \$500 per employee/family and not exceed a total of \$20,000 in any calendar year; and

**WHEREAS**, it is anticipated that a healthier work force will increase productivity, improve employee morale and reduce future insurance premiums; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account 229, subaccount 528 for this purpose. This agreement is contingent upon adequate funding therefore in the 2019 Municipal Budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute an agreement for subsidized employee and volunteer membership with the Madison YMCA.

**R 149-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE FRIENDS OF THE MADISON PUBLIC LIBRARY IN COOPERATION WITH THE MADISON ROTARY CLUB AND THE MADISON AREA YMCA TO HOLD A TOUCH A TRUCK FUNDRAISER ON SATURDAY, JULY 28, 2018**

**WHEREAS**, the Friends of the Madison Public Library have requested permission to hold a “Touch a Truck” fundraiser in cooperation with the Madison Rotary Club and the Madison Area YMCA on Saturday, July 28, 2018, on the grounds of the Madison Public Library and the Madison Area YMCA; and

**WHEREAS**, the Friends of the Madison Public Library have requested participation by the Madison Fire, Police and Public Works departments; and

**WHEREAS**, the Borough of Madison Police Department will display a police car or other vehicles; and

**WHEREAS**, the Borough of Madison Fire Department will display a truck or trucks with paid and volunteer firemen; and

**WHEREAS**, the Borough Council has determined to grant this request.

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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 the request by the Friends of the Madison Public Library to hold a “Touch a Truck” fundraiser in cooperation with the Madison Rotary Club and the Madison YMCA on Saturday, July 28, 2018, on the grounds of the Madison Public Library and the Madison Area YMCA is hereby approved, subject to such safety requirements as may be determined by the Madison Fire, Police and Public Works Departments.

**R 150-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A SETTLEMENT AND RELEASE AGREEMENT**

**WHEREAS**, certain matters have arisen pertaining to S.M.’s employment with the Borough of Madison (“Borough”); and

**WHEREAS**, S.M. has agreed to a Settlement Agreement and Release and executed same on April 23, 2018; and

**WHEREAS**, the Borough Council has reviewed the Settlement Agreement and Release and seeks to accept and agree to the terms of same; and

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

1). The Borough hereby accepts, agrees and ratifies the terms and conditions of the Settlement Agreement and Release dated April 23, 2018 between the Borough of Madison and S.M.; and

2). The Borough hereby authorizes the Mayor to execute the Settlement Agreement and Release dated April 23, 2018; and

3). That this resolution shall take effect immediately.

***UNFINISHED BUSINESS*** - None

***APPROVAL OF VOUCHERS***

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

Current Fund	\$3,935,401.38
General Capital Fund	7,017.83
Electric Operating Fund	496,054.31
Electric Capital Fund	18,152.00
Water Operating Fund	49,176.51
Water Capital Fund	32,266.33
Trusts	<u>31,195.43</u>
Total	<u>\$4,569,263.79</u>

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

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

Nays: None

**NEW BUSINESS**

Mayor Conley announced the following appointment and requests Council confirmation:

**OPEN SPACE, RECREATION AND HISTORIC  
PRESERVATION ADVISORY COMMITTEE**

***Nancy Bruce***, 26 Laurel Way, *Shade Tree Management*  
*Board Representative* for a new annual term through  
December 31, 2018.

Mr. Rowe moved confirmation of the foregoing appointment. Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved May 14, 2018 (EO)