

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

April 28, 2014 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 28th day of April, 2014. Mayor Conley called the meeting to order at 7:00 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 2, 2014. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Robert G. Catalanello
Robert Landrigan
Carmela Vitale
Astri J. Baillie
Benjamin Wolkowitz
Patrick W. Rowe

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. Landrigan 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 (7)

GREEN VILLAGE ROAD SCHOOL PROPERTY

IBEW NEGOTIATIONS

JOINT MEETING

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80 GREEN VILLAGE ROAD-EASEMENT
LVJJ INVESTMENTS, LLC
EI ASSOCIATES
FIRST OCCUPATIONAL RECYCLING & WASTE, INC.
Date of public disclosure 60 days after conclusion, if disclosure required.

PERSONNEL MATTERS (3)
SUMMER INTERNS – ENGINEERING, PUBLIC WORKS
SPECIAL LEGAL COUNSEL
NON UNION FULL TIME EMPLOYEES
Date of public disclosure 90 days after conclusion, if disclosure required.

POTENTIAL LITIGATION (2)
AGREEMENT TO RESOLVE DIFFERENCES
OMEGA SERVICES MAINTENANCE CORP.
Date of public disclosure 60 days after conclusion, if disclosure required.

Seconded: Mr. Catalanello
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8:15 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES - None

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley welcomed back Borough Administrator Ray Codey, and thanked Mr. Burnet for filling in in Mr. Codey's absence. Mayor Conley noted that the annual Green Fair will be held this Thursday, May 1, 2014. Mayor Conley noted that May 7th is National Ride Your Bike to School Day and asked able residents to participate.

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

Members of the Madison Garden Club presented an award to Public Works Superintendent David Maines and the staff of the Public Works Department to thank them for their efforts in supporting the work of the Garden Club.

Mayor Conley, along with Mara Johnson of the Downtown Development Commission, presented annual May Day Awards to the following residents:

To former Mayor Gary Ruckelshaus and Richard Romano for their efforts in maintaining the beautiful grounds at the Madison Train Station and to Melissa Cottrell who, along with the Girl Scouts, helps maintain the lot at the Madison Volunteer Ambulance Corp. The Council thanked all volunteers for their efforts. Mayor Conley also recognized this year's tee-shirt artist, Malia Nugent.

REPORTS OF COMMITTEES

Health

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Mr. Landrigan of the Committee made the following comments:

The Madison Health Department will hold female cancer screening clinics and interested resident should contact the Health Department for an appointment.

Public Works and Engineering

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

The Department of Public Works continues work hard filling pot holes. Work has been completed on the upgrades to the Treadwell pump station and new generators will be installed. The Madison Athletic Foundation is conducting a 50/50 raffle which will be drawn this Saturday, May 3rd and tickets are still available.

Utilities

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

The Electric Department staff has completed reconstruction of primary distribution on Pine Drive and secondary service on Canterbury Road. New outlets have been installed at the Waverly lantern and manhole cover has been replaced on Waverly Place. Poles have been removed from the former Green Village Road School property.

Public Safety

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

The Madison Fire Department responded to 16 general alarms and 12 still alarms in the month of April, as well as 35 medical calls. The Fire Department also held two drills. The Complete Streets Committee met with Sgt Joseph Longo and Chad Rybka to discuss areas of concern to pedestrians in the Borough.

Finance and Borough Clerk

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

Due to the loss of North Stars Athletic Club as a polling location, Districts 2, 4, and 10 are being relocated. Postcards will be mailed to voters in early May. Late Night Voter Registration for the June Primary Election is scheduled for May 13th, which is the last day to register to be eligible to vote. The Clerk's Office will be open until 8:00 p.m. Any resident interested in becoming a Poll Worker for elections should contact the Borough Clerk. Mr. Wolkowitz noted that the annual audit is underway and the newly formed Audit Committee will soon meet with the Auditors. At this time, three of the Borough labor unions have settled contract negotiations, including the PBA, Teamsters and the IBEW. On May 15th the Morris County Board of Taxation will hear from 36 Madison residents who filed appeals. Mr. Wolkowitz noted that the Madison Athletic Foundation and the Open Space Advisory Committee will present their quarterly reports.

Community Affairs

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

The Senior Center's annual Spring Luncheon was held on April 23. Forty people attended, including our volunteer tax counselors. It was noted that Madison is the only community in the county to honor their volunteers with a luncheon, which may account for the unusually high retention rate that we have. This coming Saturday is May Day and volunteers are still needed. Please contact Lisa Ellis or Mara Johnson if you are interested and able to help with this great effort. Sidewalk Sounds begins this Thursday. For the next 20 weeks there will be musical performances in downtown on Thursday evenings and weekends. The Recreation Advisory Committee held a final discussion on background checks and coach training. The Council should have something to vote on in May or June. Mr. Rowe noted discussion on the condition of the fields at Bayley Ellard. The Recreation Advisory

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Committee agreed that that they would look to take the field out of service next spring to allow for significant work to be done.

COMMUNICATIONS AND PETITIONS- None

INVITATION FOR DISCUSSION (1 of 2)

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

Sharad Gupta; Buckingham Drive, thanked Sgt. Joseph Longo for his help regarding parking on Burnet Road during school and sporting events, and urged Council to introduce an ordinance addressing this problem

Richard Taylor; Burnet Road, noted his difficulty parking at his residents during school and sport events at the Madison High School and asked Council to amend current parking regulations.

Sam Cerciello; Park Avenue, asked for clarification of several proposed resolutions, including a memorandum of agreement with the IBEW union, and special counsel for the GRVS property redevelopment.

AGENDA DISCUSSIONS

04/28/2014-1 AMENDING CHAPTER 185 OF THE BOROUGH CODE TO PROHIBIT PARKING ON THE SOUTH SIDE OF BURNET ROAD DURING HIGH SCHOOL AND SPORTS EVENTS

Ms. Baillie noted the Traffic Safety Officer's recommendation to amend parking regulations along Burnet Road during school and sporting events, due to safety concerns.

Ordinance 10-2014 is listed for introduction.

04/28/2014-2 APPROPRIATION OF \$11,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF FOUR SETS OF FIREFIGHTER TURNOUT GEAR

There was no objection to Fire Chief Louie DeRosa's recommendation to appropriate funds for additional firefighter turnout gear.

Ordinance 9-2014 is listed for introduction.

04/28/2014-3 APPROPRIATION OF \$57,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF NEW 4x4 PICKUP TRUCK FOR THE FIRE DEPARTMENT

There was no objection to Fire Chief Louie DeRosa's recommendation to appropriate funds for the purchase of a new 4 x 4 pickup truck for the Fire Department.

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Ordinance 8-2014 is listed for introduction.

04/28/2014-4 APPROPRIATION OF \$65,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF TWO PAD MOUNT TRANSFORMERS FOR THE NORTH STREET SEWER & WATER PUMP STATIONS

There was agreement to list an ordinance for introduction to appropriate \$65,000.00 for the purchase of two pad mount transformers for the North Street Sewer and Water pump stations.

Ordinance 12-2014 is listed for introduction.

04/28/2014-5 APPROPRIATION OF \$30,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A NEW ¾ TON PICK-UP TRUCK

There was agreement to list an ordinance for introduction to appropriate \$30,000.00 for the purchase of a new ¾ ton pick-up truck.

Ordinance 13-2014 is listed for introduction.

04/28/2014-6 APPROPRIATION OF \$25,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF NEW BATTERY BANKS AT THE KINGS ROAD AND JAMES PARK SUBSTATIONS

There was agreement to list an ordinance for introduction appropriating \$25,000.00 for the purchase of new battery banks at the Kings Road and James Park substations.

Ordinance 14-2014 is listed for introduction.

04/28/2014-7 APPROPRIATION OF \$30,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A NEW FIBER-OPTIC PILOT RELAY SYSTEM

There was agreement to list an ordinance for introduction to appropriate \$30,000.00 from the Capital Improvement Fund for the purchase of a new fiber optic pilot relay system.

Ordinance 15-2014 is listed for introduction.

04/28/2014-8 APPROPRIATION OF \$10,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR WELL UPGRADES

There was agreement to list an ordinance for introduction to appropriate \$10,000.00 for well upgrades as recommended by Public Works Superintendent David Maines.

Ordinance 16-2014 is listed for introduction.

04/28/2014-9 APPROPRIATION OF \$80,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A NEW GENERATOR AT WELL E

There was agreement to list an ordinance for introduction to appropriate \$80,000.00 for a new generator at Well E.

Ordinance 17-2014 is listed for introduction.

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04/28/2014-10 APPROPRIATION OF \$130,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A BACK HOE AT THE DPW GARAGE

There was agreement to list an ordinance for introduction to appropriate \$130,000.00 for the purchase of a back hoe to be use by the Department of Public Works.

Ordinance 18-2014 is listed for introduction.

04/28/2014-11 APPROPRIATION OF \$160,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A LIFT REPLACEMENT FOR THE MECHANICS DEPARTMENT

There was agreement to list an ordinance for introduction to appropriate \$160,000.00 for the purchase of a lift replacement as recommended by Public Works Superintendent David Maines.

Ordinance 19-2014 is listed for introduction.

04/28/2014-12 APPROPRIATION OF \$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A POLE BARN FOR STORAGE AT THE DPW GARAGE

There was agreement to list an ordinance for introduction to appropriate \$30,000.00 for the purchase of a pole barn at the DPW garage.

Ordinance 20-2014 is listed for introduction.

04/28/2014-13 APPROPRIATION OF \$160,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A NEW LOADER

There was agreement to list an ordinance for introduction to appropriate \$160,000.00 for the purchase of a new loader as recommended by Public Works Superintendent David Maines.

Ordinance 21-2014 is listed for introduction.

04/28/2014-14 APPROPRIATION OF \$8,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO REPLACE THE FLOOR AT THE CIVIC CENTER

There was agreement to list an ordinance for introduction to appropriate \$8,000.00 to replace the floor at the Madison Civic Center.

Ordinance 22-2014 is listed for introduction.

04/28/2014-15 APPROPRIATION OF \$450,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR REPLACEMENT OF THE HVAC SYSTEM AT THE MADISON PUBLIC LIBRARY

Library Director Nancy Adamczyk addressed the Council noting the need for replacement of the HVAC system at the Public Library. There was no objection to listing an ordinance for introduction.

Ordinance 23-2014 is listed for introduction.

ADVERTISED HEARINGS

The Clerk made the following statement:

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The ordinances scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on Friday, April 11, 2014, was introduced by title and passed on first reading, was published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinance 7-2014 for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 7-2014
ORDINANCE OF THE BOROUGH OF MADISON ADOPTING AN AMENDED
REDEVELOPMENT PLAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-7**

WHEREAS, on August 22, 2011, the Mayor and Council adopted Resolution No. 192-2011 which determined a certain delineated area to be a “Redevelopment Area” as defined in N.J.S.A. 40A:12A-3; and

WHEREAS, pursuant to Ordinance 32-2011, the Mayor and Council adopted a plan for redevelopment of the Redevelopment Area entitled the “Green Village School Redevelopment Plan;” and

WHEREAS, the Borough’s Planner has proposed revisions to the Green Village School Redevelopment Plan by way of an amendment to the Green Village School Redevelopment Plan dated April 2014 (the “April 2014 Amended Green Village School Redevelopment Plan” or “Amended Plan”), which will supersede the aforementioned Green Village School Redevelopment Plan; and

WHEREAS, on April 11, 2014, the Mayor and Council, by Resolution No. 127-2014, referred the proposed Amended Plan to the Madison Planning Board, pursuant to N.J.S.A. 40A:12A-7, for review and report thereon; and

WHEREAS, the proposed Amended Plan meets all of the requirements of N.J.S.A. 40A:12A-7; and

WHEREAS, the area governed by the Amended Plan is the same as defined in Resolution No. 192-2011.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, that the “April 2014 Amended Green Village School Redevelopment Plan” is hereby adopted and it shall replace and supersede the previous Plan adopted by Ordinance 32-2011.

Mr. Rowe moved that Ordinance 7-2014, which was read by title, be tabled. Mr. Wolkowitz seconded the motion. Mr. Codey explained that the proposed redevelopment ordinance will be tabled at this time. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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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.

Richard Zipper; Green Village Road, asked that Council members speak directly into the microphone as it is difficult to hear discussions broadcast on Cable television. Mr. Zipper raised concern regarding the fence at the entrance to the Community Gardens, noting bad access from Burnet Road.

Sam Cerciello; Park Avenue, asked for clarification of a Florham Park development ordinance, and the potential impact on the Borough of Madison.

Joseph Balwierczak; Beech Avenue, raised concern regarding proposed development along Park Avenue and the potential impact on area neighborhoods.

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 12, 2014 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 8-2014

ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$57,000.00 FROM THE GENERAL
CAPITAL IMPROVEMENT FUND TO PURCHASE ONE
PICKUP TRUCK

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$57,000.00 from the General Capital Improvement Fund to purchase one pickup truck for use by the Fire Department; 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 \$57,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$57,000.00 from the General Capital Improvement Fund to purchase one pickup truck.

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

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SECTION 1: The amount of \$57,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase one pickup truck.

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. Baillie moved that Ordinance 8-2014, which the Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 9-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$11,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO
PURCHASE FOUR SETS OF FIREFIGHTER TURNOUT GEAR

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$11,000.00 from the General Capital Improvement Fund to purchase four (4) sets of turnout gear for use by the Fire Department; 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 \$11,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$11,000.00 from the General Capital Improvement Fund to purchase four (4) sets of turnout gear.

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 \$11,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase four (4) sets of turnout gear.

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. Baillie moved that Ordinance 9-2014, which the Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 10-2014

ORDINANCE OF THE BOROUGH OF MADISON AMENDING SECTION 185-29 OF THE BOROUGH CODE TO PROHIBIT PARKING ON THE SOUTH SIDE OF BURNET ROAD DURING SCHOOL AND SPORTING EVENTS

WHEREAS, the Chief of Police has recommend there be no parking on the South Side of Burnet Road for the entire length, during school hours of Madison High School and during sporting events of Madison High School; and

WHEREAS, the Borough Council has determined that Chapter 185 of the Madison Borough Code entitled “Vehicles and Traffic” should be amended in order to implement this change.

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

Section 1: Section 185-29 of the Code of the Borough of Madison entitled “Schedule I: No Parking”, is hereby amended to include the following:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Burnet Road	South	From Ridgedale Avenue to Chateau Thierry Avenue

The No parking restrictions will apply during the school year, during school hours and sporting events at held Madison High School

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

Ms. Baillie moved that Ordinance 10-2014, which the Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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ORDINANCE 11-2014

ORDINANCE OF THE BOROUGH OF MADISON REPLACING
ORDINANCE 5-2008 SETTING THE SALARY RANGES FOR NON-UNION
FULL-TIME EMPLOYEES

WHEREAS, the Borough Council has determined to establish one ordinance setting salary ranges for non-union full-time employees.

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

Section 1. Ordinance 5-2008 setting the salary ranges for non-union full-time employees is hereby replaced with the following:

TITLE	MINIMUM	MARKET VALUE	MAXIMUM
Borough Administrator	\$132,270	\$155,612	\$178,954
Chief of Police/Fire Chief	122,445	144,053	165,660
Chief Financial Officer	108,316	127,430	146,545
Municipal Engineer	107,308	126,246	145,183
Superintendent of Public Works	94,138	110,750	127,362
Electric Utility Superintendent	94,138	110,750	127,362
Assistant Borough Administrator	95,000	105,000	115,000
Tax Assessor	82,823	97,439	112,055
Borough Clerk	78,118	91,903	105,688
Director of Technology	68,000	80,000	92,000
Purchasing Officer	57,088	67,162	77,236
Executive Assistant	54,246	63,819	73,392
Police Office Manager	52,387	61,632	70,877
Confidential Secretary to the CFO	51,000	60,000	69,000
Deputy Borough Clerk	47,100	55,412	63,724
Confidential Secretary	45,212	53,190	61,168
Senior Dispatcher	45,933	51,592	57,252
Dispatcher	34,614	40,273	45,933

Section 2. This ordinance shall take effect as provided by law.

Mr. Wolkowitz moved that Ordinance 11-2014, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 12-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$65,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND TO
PURCHASE TWO PAD MOUNT TRANSFORMERS

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WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$65,000.00 from the Electric Capital Improvement Fund to purchase two (2) pad-mount transformers for the North Street Sewer & Water Pump Stations; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$65,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$65,000.00 from the Electric Capital Improvement Fund to purchase two (2) pad-mount transformers for the North Street Sewer & Water Pump Stations.

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 \$65,000.00 is hereby appropriated from the Electric Capital Improvement Fund to purchase two (2) pad-mount transformers for the North Street Sewer & Water Pump Stations.

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 12-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 13-2014

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$30,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND TO
PURCHASE A THREE QUARTER TON PICK-UP TRUCK**

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$30,000.00 from the Electric Capital Improvement Fund to purchase a new ³/₄ ton pickup truck; and

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

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WHEREAS, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the Electric Capital Improvement Fund to purchase a new ¾ ton pickup truck.

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

SECTION 1: The amount of \$30,000.00 is hereby appropriated from the Electric Capital Improvement Fund to purchase a new ¾ ton pickup truck.

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 13-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 14-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$25,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND TO
PURCHASE NEW BATTERY BANKS AT THE KINGS ROAD AND JAMES
PARK SUBSTATIONS

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$25,000.00 from the Electric Capital Improvement Fund to purchase new battery banks at both the Kings Road and James Park Substations; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Electric Capital Improvement Fund in an amount not to exceed \$25,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$25,000.00 from the Electric Capital Improvement Fund to purchase new battery banks at both the Kings Road and James Park Substations.

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

SECTION 1: The amount of \$25,000.00 is hereby appropriated from the Electric Capital Improvement Fund to purchase new battery banks at both the Kings Road and James Park Substations.

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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 14-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 15-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$30,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND TO PURCHASE A NEW FIBER-OPTIC PILOT RELAY SYSTEM BETWEEN THE KINGS ROAD AND JAMES PARK SUBSTATIONS

WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$30,000.00 from the Electric Capital Improvement Fund to purchase a fiber-optic pilot wire relay system between the Kings Road and James Park Substations; and

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

WHEREAS, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the Electric Capital Improvement Fund to purchase a fiber-optic pilot wire relay system between the Kings Road and James Park Substations.

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

SECTION 1: The amount of \$30,000.00 is hereby appropriated from the Electric Capital Improvement Fund to purchase a fiber-optic pilot wire relay system between the Kings Road and James Park Substations.

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 15-2014, 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:

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

ORDINANCE 16-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$10,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR
WELL UPGRADES

WHEREAS, the Public Works Superintendent has recommended that the Borough appropriate \$10,000.00 from the Water Capital Improvement Fund for well upgrades; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$10,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$10,000.00 from the Water Capital Improvement Fund for well upgrades.

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 \$10,000.00 is hereby appropriated from the Water Capital Improvement Fund for well upgrades.

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 16-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 17-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$80,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF A NEW GENERATOR AT WELL E

WHEREAS, the Public Works Superintendent has recommended that the Borough appropriate \$80,000.00 from the Water Capital Improvement Fund for the purchase of a new generator at Well E; and

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WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$80,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$80,000.00 from the Water Capital Improvement Fund for the purchase of a new generator at Well E.

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 \$80,000.00 is hereby appropriated from the Water Capital Improvement Fund for the purchase of a new generator at Well E.

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 17-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 18-2014

**ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$130,000.00 FROM THE WATER CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF A BACK HOE FOR THE DEPARTMENT OF PUBLIC
WORKS**

WHEREAS, the Public Works Superintendent has recommended that the Borough appropriate \$130,000.00 from the Water Capital Improvement Fund for the purchase of a backhoe for use at the Public Works Garage; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$130,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$130,000.00 from the Water Capital Improvement Fund for the purchase of a backhoe for use at the Public Works Garage; 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:

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SECTION 1: The amount of \$130,000.00 is hereby appropriated from the Water Capital Improvement Fund for the purchase of a backhoe for use at the Public Works Garage.

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 18-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 19-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$160,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF A LIFT REPLACEMENT FOR THE DEPARTMENT
OF PUBLIC WORKS

WHEREAS, the Public Works Superintendent has recommended that the Borough appropriate \$160,000.00 from the General Capital Improvement Fund for the purchase of a lift replacement for the Department of Public Works; 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 \$160,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$160,000.00 from the General Capital Improvement Fund for the purchase of a lift replacement for the Department of Public Works.

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 \$160,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a lift replacement for the Department of Public Works.

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 19-2014, 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:

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

ORDINANCE 20-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$30,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF A POLE BARN FOR STORAGE

WHEREAS, the Public Works Superintendent has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund for the purchase of a pole barn for storage at the Department of Public Works; 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 \$30,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund for the purchase of a pole barn for storage at the Department of Public Works.

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

SECTION 1: The amount of \$30,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a pole barn for storage at the Department of Public Works.

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 20-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 21-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$160,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF A LOADER FOR THE DEPARTMENT OF PUBLIC
WORKS

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WHEREAS, the Public Works Superintendent has recommended that the Borough appropriate \$160,000.00 from the General Capital Improvement Fund for the purchase of a loader for the Department of Public Works; 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 \$160,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$160,000.00 from the General Capital Improvement Fund for the purchase of a loader for the Department of Public Works.

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 \$160,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of a loader for the Department of Public Works.

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 21-2014, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

ORDINANCE 22-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$8,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO
REPLACE THE CIVIC CENTER FLOOR

WHEREAS, the Public Works Superintendent has recommended that the Borough appropriate \$8,000.00 from the General Capital Improvement Fund for the replacement of the floor at the Madison Civic Center; 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 \$8,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$8,000.00 from the General Capital Improvement Fund for the replacement of the floor at the Madison Civic Center.

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

SECTION 1: The amount of \$8,000.00 is hereby appropriated from the General Capital Improvement Fund for the replacement of the floor at the Madison Civic Center.

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

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

Mr. Catalanello moved that Ordinance 22-2014, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

ORDINANCE 23-2014

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$450,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR REPLACEMENT OF THE HVAC SYSTEM AT THE MADISON PUBLIC LIBRARY

WHEREAS, the Library Director has recommended that the Borough appropriate \$450,000.00 from the General Capital Improvement Fund for the replacement of the HVAC System and miscellaneous repairs and improvements at the Madison Public Library; 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 \$450,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$450,000.00 from the General Capital Improvement Fund for the replacement of the HVAC System and miscellaneous repairs and improvements at the Madison Public Library; 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: The amount of \$450,000.00 is hereby appropriated from the General Capital Improvement Fund for the replacement of the HVAC System and miscellaneous repairs and improvements at the Madison Public Library.

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

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

Mr. Wolkowitz moved that Ordinance 23-2014, which the Borough Clerk read by title, be adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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

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

Nays: None

R 128-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE IBEW LOCAL UNION #1289

WHEREAS, the Borough of Madison (“Borough”) commenced collective negotiations with IBEW Local Union #1289 bargaining unit; and

WHEREAS, the Borough was able to successfully negotiate a Memorandum of Agreement/Understanding with International Brotherhood of Electrical Workers Local #1289; and

WHEREAS, the Mayor and Council having considered and approved the specific terms and conditions contained in the Memorandum of Agreement for the above noted bargaining unit;

NOW THEREFORE BE IT RESOLVED as follows:

1. The Mayor and Council approve the Memorandum of Agreement for the above-bargaining unit and the terms and conditions specifically set forth in the agreement; and

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2. The Mayor and Council direct Labor Counsel to incorporate the Memorandum of Agreement into the appropriate collective bargaining agreement as soon as practicable; and

3. The Mayor and Council hereby authorize the Borough Administrator, and Mayor to execute the finalized collective bargaining agreement without further action being necessary; and

4. The Mayor and Council authorize the Borough Administrator to effectuate the collective bargaining agreement upon execution by all necessary parties to the collective bargaining agreement.

R 129-2014 RESOLUTION OF THE BOROUGH OF MADISON APPROVING 2014 MEMORIAL DAY PARADE

WHEREAS, the Madison Patriotic Celebrations Committee has requested permission to hold a Memorial Day Parade and Ceremony on Monday, May 26, 2014; and

WHEREAS, the parade will begin at 9:30 a.m., and proceed on a route approved by the Madison Borough Police Chief, said route beginning at the Madison Volunteer Ambulance Corp. parking lot on Prospect Street and ending in front of the Hartley Dodge Memorial where there will be a ceremony at the conclusion of the parade; and

WHEREAS, Police Chief Dachisen recommends approval of this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Madison Patriotic Celebrations Committee to hold Memorial Day Parade and Ceremony on Monday, May 26, 2014, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department and Madison Fire Department.

R 130-2014 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION R 83-2014 TO INCREASE THE NUMBER OF HOURS PER WEEK OF THE PART-TIME PER DIEM RECORDS CLERK IN THE MADISON POLICE DEPARTMENT

WHEREAS, Resolution 83-2013 authorized the hiring of Lisa Di Taranto as a part-time per diem records clerk at the Madison Police Department, not to exceed twenty (20) hours per week; and

WHEREAS, the Chief Police Chief has recommended that the Borough amend Resolution 83-2013, to increase the hours from twenty (20) to twenty-nine

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hours (29) per week, to handle additional administrative functions to free up uniformed officers for other police duties; and

WHEREAS, the Chief Financial Officer has attested that funds are available in the Police Department current operating account.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Resolution 83-2013 is amended to increase the hours of the part time per diem records clerk, not to exceed twenty-nine (29) hours per week.

R 131-2014 RESOLUTION OF THE BOROUGH OF MADISON REAPPOINTING CASTANO QUIGLEY LLC AS SPECIAL REDEVELOPMENT COUNSEL FOR THE REDEVELOPMENT OF THE GREEN VILLAGE ROAD SCHOOL SITE

WHEREAS, the Council has determined to reappoint Castano Quigley LLC, West Caldwell, New Jersey as Special Redevelopment Counsel to represent the Borough of Madison in the redevelopment process of the Green Village Road School site; and

WHEREAS, Castano Quigley LLC will be compensated at the rate of \$195.00 per hour; and

WHEREAS, said services 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 Borough Administrator has determined and certified in writing that the value of this acquisition may exceed \$17,500.00; and

WHEREAS, Castano Quigley LLC must submit to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, Castano Quigley LLC must complete and submit a Business Entity Disclosure Certification which certifies that Castano Quigley LLC has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit Castano Quigley LLC, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$195.00 per hour for this purpose.

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:

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1. Castano Quigley LLC is hereby reappointed Special Redevelopment Counsel at the rate of \$195.00 per hour in regard to the aforementioned legal proceedings.

2. Ten days after receipt of the Business Entity Disclosure Certification and other required documents, the Mayor and Borough Clerk are authorized to execute on behalf of the Borough a professional services contract or retainer letter with Castano Quigley LLC at a cost not to exceed \$195.00 per hour in a form acceptable to the Borough Attorney.

3. When received, the Business Entity Disclosure Certification, Political Contribution Disclosure Form and the Determination of Value shall be placed on file with this resolution.

4. 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 132-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PFIZER 5K RUN ON WEDNESDAY, MAY 21, 2014 AT 6:30 P.M.

WHEREAS, Pfizer has requested to hold a “5K run” in Madison on Wednesday, May 21, 2014, for the benefit of Project Community Pride; and

WHEREAS, the run will begin at 6:30 p.m., on the grounds of Giralda Farms; and

WHEREAS, Giralda Farms property owners have requested a Hold Harmless agreement and a Certificate of Liability Insurance regarding such use of the property; and

WHEREAS, Police Chief Dachisen recommends approval of this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of Pfizer to hold a “5K run” in Madison on Wednesday, May 21, 2014, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department, and the Mayor is authorized to sign a Hold Harmless Agreement as approved by the Borough Attorney and to supply a Certificate of Liability Insurance from the Borough for this event.

R 133-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING DEVELOPER’S AGREEMENT BETWEEN THE BOROUGH OF MADISON AND LVJJ INVESTMENTS, LLC FOR PREMISES LOCATED AT 4 & 6 ELM STREET AND DESIGNATED AS BLOCK 1302, LOTS 5 & 6

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WHEREAS, LVJJ Investments, LLC ("Developer") is the owner of certain property in the Borough of Madison located at 4 & 6 Elm Street and designated as Block 1302, Lots 5 & 6 on the current Tax Map of the Borough (the "Property"); and

WHEREAS, Developer obtained from the Madison Borough Zoning Board of Adjustment development approvals for construction of 2 buildings each containing 4 single-family attached (townhouse) units and related site improvements to replace 4 existing nonconforming structures on the Property by Resolution adopted on May 10, 2012, which provided for execution of a developer's agreement with the Borough; and

WHEREAS, counsel has recommended that the attached proposed Developer's Agreement concerning the Property be entered into;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey, that the attached Developer's Agreement between LVJJ Investments, LLC and the Borough of Madison is hereby approved, and the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute the Developer's Agreement.

R 134-2014 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENTS OF INTERNS WILLIAM CAREY, VITO LUPPINO , III AND FRANK IANNARONE, IV, TO SUMMER INTERN POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Superintendent of Public Works has recommended appointment of William Carey, Vito Luppino, III and Frank Iannarone, IV, as Summer Interns in the Public Works Department; and

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 contingent upon a satisfactory background check being received, William Carey, Vito Luppino, III and Frank Iannarone, IV are hereby appointed to the position of Summer Interns in the Public Works Department at the rate of pay of \$9.00 per hour. The starting employment dates to be determined by the Superintendent of Public Works.

R 135-2014 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENTS OF INTERNS VINCENT BENNETT AND MAXWELL GOTSCH TO THE SUMMER INTERN POSITIONS IN THE ENGINEERING DEPARTMENT

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WHEREAS, the Borough Engineer has recommended the appointment of Vincent Bennett and Maxwell Gotsch as part-time employees/ Summer Interns in the Engineering Department; and

WHEREAS, the Borough Council agrees with this recommendation, and the Chief Financial Officer has certified funds for this purpose are contained in the 2014 municipal budget.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that contingent upon a satisfactory background check being received, the appointment of Vincent Bennett and Maxwell Gotsch as part-time employees/ Summer Interns in the Engineering Department, at the rate of pay of \$9.00 per hour is hereby approved. The starting employment dates to be established by the Borough Engineer.

R 136-2014 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO KINGS ROAD SCHOOL

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:

PTO KINGS ROAD SCHOOL
I.D. No. 274-5-18728
R.A. No. 1311 – On Premise Merchandise
June 6, 2014

R 137-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ASSIGNMENT OF CONTRACT FOR RECYCLING COLLECTION AND DISPOSAL WITH FIRST OCCUPATIONAL RECYCLING & WASTE, INC., TO SUBURBAN DISPOSAL, INC.

WHEREAS, the Borough entered into a contract for a one year term with First Occupational Recycling & Waste, Inc., to collect and dispose of recycling within the Borough; and

WHEREAS, First Occupational Recycling & Waste, Inc., has requested that the Borough consent to an assignment of their contract to Suburban Disposal, Inc., of Fairfield N.J., for the remainder of the term, which contract will expire at the end of 2014; and

WHEREAS, the Borough Administrator has recommended that the Council authorize an assignment of the contract on such terms and conditions as the Borough Attorney may determine are in the best interests of the Borough; and

WHEREAS, First Occupational Recycling & Waste, Inc., has provided copies of documentation to the Borough that indicates that Suburban Disposal, Inc., of

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Fairfield, New Jersey is an approved NJDEP solid waste and recycling collector and transporter.

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 authorized to execute consent to an assignment of contract or such other documents as the Borough Attorney may determine in order to assign the balance of the recycling collection contract for the year 2014 with First Occupational Recycling & Waste, Inc. to Suburban Disposal, Inc., of Fairfield, New Jersey effective immediately.
2. The terms and conditions of the consent to assignment of contract and any other legal documents necessary shall be approved by the Borough Attorney.

R 138-2014 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO EI ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES AND CONSTRUCTION OVERSIGHT FOR CEILING AND LIGHTING IMPROVEMENTS AT THE MADISON PUBLIC LIBRARY IN THE AMOUNT OF \$17,000.00

WHEREAS, the Borough Engineer and Library Director have recommended that the Borough obtain professional design services from EI Associates, to provide design services and construction oversight for improvements to the Madison Public Library ceiling and lighting due to the replacement of the HVAC System; 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 Borough Engineer has recommended that the Borough Council award the Contract to EI Associates, in an amount not to exceed \$17,000.00; and

WHEREAS, EI Associates, must submit to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter is being awarded without competitive bidding; and

WHEREAS, EI Associates, must complete and submit a Business Entity Disclosure Certification which certifies that EI Associates, has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit EI Associates, from making any reportable contributions through the term of the contract; and

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WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$17,000.00 for this purpose in Ordinances 44-2010 and 6-2013 and.

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. Ten days after receipt of the Business Entity Disclosure Certification and other required documents from EI Associates, the Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with EI Associates, for professional design services to provide HVAC Engineering Services in an amount not to exceed \$17,000.00, such contract to be in a form approved by the Borough Attorney.

2. When received, the Business Entity Disclosure Certification, Political Contribution Disclosure Form and the Determination of Value shall be placed on file with this resolution.

3. 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 139-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT AGREEMENT WITH OMEGA SERVICE MAINTENANCE CORPORATION

WHEREAS, pursuant to the Borough of Madison Resolution 194-2013 dated June 10, 2013, on or about June 12, 2013 the Borough of Madison entered into a contract with Omega Service Maintenance Corp. (the “Contractor”) in the base amount of \$ 290,000.00 for construction of two (2) low pressure stream boilers and appurtenant improvements (the “Contract”) defined by technical documents entitled “Hartley Dodge Memorial Boiler Replacement”; and

WHEREAS, the Contractor has alleged that it has claims against the Borough of Madison for among other things, damages resulting from (a) delays caused by the Borough of Madison and (b) the Borough of Madison’s failure to make payments that were due and owing; and

WHEREAS, the Borough of Madison has alleged that it has claims against the Contractor among other things, damages resulting from (a) Contractor’s failure to complete the work required under Contract in accordance with plans and specifications (b) lack of coordination and supervision and (c) delays caused by the Contractor; and

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WHEREAS, the Borough of Madison and the Contractor have denied liability to each other; and

WHEREAS, the parties desire to avoid the expense and inconvenience of a burdensome and protracted litigation and have agreed to settle and compile the alleged claims; and

WHEREAS, a copy of the settlement agreement is attached hereto and incorporated herein.

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

- (1) The proposed settlement agreement is hereby authorized approved.
- (2) The Mayor is authorized to execute the said settlement agreement
- (3) The Borough of Madison Administration is authorized to take all reasonable actions necessary to effectuate the terms of this resolution.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

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

Public Safety	\$67,376.09
Health & Public Assistance	5,014.51
Public Works & Engineering	69,017.05
Community Affairs	38,476.59
Finance & Borough Clerk	90,371.30
Utilities	<u>1,757,590.29</u>
Total	<u>\$2,027,845.83</u>

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

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

Nays: None

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved July 28, 2014 (EO)