

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

May 13, 2019 – 6:30 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 13th day of May, 2019. Mayor Conley called the meeting to order at 6:30 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 10, 2019. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale
Astri J. Baillie
Patrick W. Rowe
Maureen Byrne
John F. Hoover
Debra J. Coen

Also Present:

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

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Rowe moved:

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

MINUTES FOR APPROVAL (1)

April 8, 2019

April 22, 2019

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

LITIGATION MATTERS (1)

AFFORDABLE HOUSING UPDATE

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

CONTRACT MATTERS (5)
CRESCENT PARKING AREA
ARCHITECTURAL PLANS POLICE FIRE ARMS TRAINING FACILITY
MRC DIVERSION COORDINATOR
POWER PURCHASE
NETWORKING/MAINTENANCE SERVICES

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

PERSONNEL MATTERS (4)
PUBLIC WORKS DEPARTMENT
CONSTRUCTION DEPARTMENT
DEPUTY BOROUGH CLERK
DEPUTY COURT ADMINISTRATOR

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

POTENTIAL LITIGATION MATTERS (1)
PET SHOP ORDINANCE

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

Seconded: Mrs. Vitale
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

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

APPROVAL OF MINUTES

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

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

Ms. Baillie moved approval of the **Executive Minutes of April 8, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Ms. Baillie moved approval of the **Executive Meeting Minutes of April 22, 2019**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

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GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley provided an update on the Borough of Madison Affordable Housing, noting the background and current pending litigation. More information will be provided at future Council meetings. The Borough has been named a winner of the Municipal Innovation awards along with the four towns that participate in the Madison Joint Municipal Court. The 2nd annual Town Swap was held this past Saturday and was again very successful. May Day was a damp day but thanks to the many volunteers the Borough look wonderful.

EMPLOYEE OF THE MONTH FOR MAY:

The Employee of the Month for May is Construction Official Russ Brown for his hard work, on his own time, restoring the light fixtures at Dodge Field using a scissor lift. His commitment and efforts saved the Borough money by once again going above and beyond.

ANNIVERSARIES FOR THE MONTH OF MAY:

Kevin Boone of the Madison Police Department – 35 years on May 29th

Lewis Cornine of the Public Works Department – 25 years on May 31st

PROCLAMATIONS:

Mayor Conley presented National Police Week Proclamation to Madison Police Chief Darren Dachisen.

**P r o c l a m a t i o n
of the
B o r o u g h o f M a d i s o n
Proclaiming
National Police Week
May 12 through May 18, 2019**

WHEREAS, the Congress and President of the United States have designated May 15th as Peace Officers Memorial Day, the day that honors all peace officers who have died in the line of duty, and the week in which it falls as Police Week; and

WHEREAS, the names of the law enforcement officers who have been killed in the line of duty are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, the members the Madison Police Department play an essential role in preserving the rights and freedoms of the citizens of Madison; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of the Madison Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder and by protecting the innocent against deception and the weak against oppression or intimidation; and

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WHEREAS, the Madison Police Department is a modern and scientific law enforcement agency which unceasingly provides a vital public service;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, proclaim May 12 through May 18, 2019 as National Police Week in the Borough of Madison and publicly salute the service of law enforcement officers in our community and in communities across the nation.

Robert H. Conley, Mayor
May 13, 2019

Mayor Conley presented the National Gun Violence Awareness Day – June 7th Proclamation to Margaret Haughey a volunteer with Mom’s Demand Action for Gun Sense in America.

P r o c l a m a t i o n
of the
B o r o u g h o f M a d i s o n
Proclaiming
National Gun Violence Awareness Day
June 7, 2019

WHEREAS, National Gun Violence Awareness Day honors and remembers all victims and survivors of gun violence and declares that we as a nation must do more to reduce gun violence; and

WHEREAS, every day, 100 Americans are killed by gun violence and countless others are wounded, making Americans 25 times more likely to be killed with guns than people in other high-income countries; and

WHEREAS, protecting public safety in the communities they serve is among a legislator’s highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people that should not have them; and

WHEREAS, to help honor Hadiya Pendleton, who would have celebrated her 22nd birthday this June and who as a teenager marched in President Obama’s second inaugural parade and was tragically shot and killed just weeks later, June 7, 2019 has been designated as the fifth National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya’s friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to protect themselves and others, and orange is a color that has been embraced by the gun safety movement because it symbolizes the value of human life; and

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WHEREAS, by wearing orange and commemorating National Gun Violence Awareness Day on June 7th, Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim June 7, 2019 as **National Gun Violence Awareness Day** and encourage all citizens to wear orange, to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Robert H. Conley, Mayor
May 13, 2019

Mayor Conley administered the oath of Office Auxiliary Police Officer Jonathan Grant with family and friends in attendance.

Mayor Conley administered the oath of Office Police Officer Brett C. Smith with family and friends in attendance.

REPORTS OF COMMITTEES

Public Safety

Ms. Baillie, Chair of the Committee, made the following comments:
On Thursday May 9th the Police Unity Tour came through the Borough of Madison on the way to Washington DC . Lt. Joe Longo and Ptl. Carmen Decaro participated in this year's Police Unity Tour. In May of 1997, the Police Unity Tour was organized by Officer Patrick P. Montuore of the Florham Park Police Department, with founding members including the Madison Police Department in the hope of bringing public awareness about Police Officers who have died in the line of duty. What started with 18 riders on a four day fund-raising bicycle ride from Florham Park, NJ to the National Law Enforcement Officers Memorial in Washington, D.C. has grown into nine chapters consisting of nearly 2,500 members nationwide who make the trip annually. During the past two weeks the Madison Police Department conducted semiannual firearms qualifications required and outlined in the New Jersey Attorney General Guidelines. There will be upcoming makeup dates so residents should not be alarmed if hearing range noise from the area of John Avenue. If in doubt about the origin of gun sounds please contact the Madison Police at 973-593-3000. During the month of April the Fire Department responded to 18 General Alarms, 12 still Alarms, 23 Investigations and 30 Medical calls for a total 83 calls in the month of April. Seventy one Fire prevention inspections were and seventeen Smoke/CO resale inspections were conducted. On Wednesday, May 8th the Madison Fire Department joined the Florham Park Fire Department at FDU to honor 150 high school students from across northern NJ who will be entering the military service upon their graduation next month by hoisting a large American flag with their ladder trucks. On Sunday ,May 12th , at approximately 7:30p.m., our ladder truck responded to assist the Morris Township Fire Department at a structure fire on Crescent Drive. Madison firefighters were assigned to cut a hole in the roof above the fire of the two story residential structure. The Office of

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Emergency Management OEM, will provide a confidential disclosure form in all utility bills requesting information from residents that may need special assistance in an emergency.

Finance and Borough Clerk

Mrs. Vitale, Chair of the Committee, made the following comments:
In anticipation of the June 5th Primary Election, the Clerk's office will remain open for Late Night Voter Registration on May 14, 2019 until 8:00 p.m. Applications for Vote by Mail ballots and voter registration forms are available in the Borough Clerk's Office or online at morriselections.org. The Finance Department has completed uploading the final budget into the Borough's Edmunds accounting software. Mrs. Vitale thanked Mr. Codey, Mr. Burnet and department heads for their work on the municipal budget. The Finance Department is working on the annual electric utility report and will provide a budget summary in each utility bill this summer. The Auditors are conducting the 2018 audit and a draft will be sent to the Mayor and Council for the June 10th Council meeting. Mrs. Vitale invited all resident to attend the Memorial Day ceremony on Monday, May 27, 2019.

Utilities

Mr. Rowe, Chair of the Committee, made the following comments:
Mr. Rowe reported that construction has begun on the Electric Storage building at the Electric Utility plant on John Avenue. The bids for the Sewer Main Lining project for Park, Pine, Rose and Beech Avenues is due May 30th.

Public Works and Engineering

Ms. Byrne, Chair of the Committee, made the following comments:
Cifelli & Son Construction started construction work on curb and sidewalk repairs under the Greenwood Ave North Reconstruction contract. JoMed Construction started construction work on Sayre Court, Ross Court, and Vinal Place under the 2019 Road Improvement contract with JoMed will start the water main replacement work on Vinal Place this week. Curb and drainage improvements will begin next week on Bruns Street. The Public Works Department continues service and repair to Borough vehicles, lined recreational fields for appropriate games specified by Recreational Department.

Community Affairs

Mr. Hoover, Chair of the Committee, made the following comments:
The Senior Citizen Advisory Committee held a meeting Wednesday, May 8, 2019 in the Meeting Room at the Rexford Tucker Apartments, 15 Chateau Thierry. The meeting was well attended. There are two new volunteers for Thursday's Farmers' Market, beginning Thursday's for 2:00 p.m. until 7:00 p.m. through October. The Morris County Clerk presented an awarded to resident Kaye Shaler for her many years on the Senior Citizen Advisory Board/Telephone Reassurance. The Madison Chamber of Commerce now has 201 members. The next monthly meeting will be held May 22nd at Shanghai Jazz. Fire Extinguisher inspections will be held June 11th.

Health

Ms. Coen, Chair of the Committee, made the following comments:
Ms. Coen noted that the Madison Community Pool will open for the 2019 season Memorial Day weekend. The Madison Health Department has won top honors on the NJ Dept. of Health Vaccine Preventable Disease Program Influenza Honor Roll. This is recognition of the efforts of the Health Department for its commitment to protecting the health of the community through flu immunization. Some of the initiatives were representation at Bottle Hill Day, free informative give aways and

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posting flu clinic dates in available mediums. The Health Department has been made aware fox sightings in the Borough. The Health Officer advises that these are natural animals for the area and it is likely that foxes are moving around due to gestation and live births of baby foxes. May is Mental Health Month. Statistics show that 1 in 5 Americans experience a mental illness. Mental health is important at every stage of life from childhood through adulthood. For more information go to: <https://www.mentalhealth.gov>.

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.**

Kathy Dailey; West End Avenue, asked for clarification on Resolution 149-2019, authorization of an online auction and 159-2019, for design services to coordinate the MRC diversion request with Morris County.

AGENDA DISCUSSIONS

05/13/2019-1 PARKING PRESENTATION

Lisa Ellis, Director of Business Development for the Borough, presented an update on parking in the Downtown area, including Ad Hoc Committee recommendations to create more merchant parking, raising parking violations, maximize use of existing parking spaces and improvements to existing parking infrastructure. Suggestions include adding “grab and go” spaces, additional handicapped space on Lincoln Place, consistent signage and increasing all one hour parking areas to 90 minutes. An ordinance including these changes will be introduced at a future Council meeting. Ordinance 19-2019 proposes an increase to fees for the Crescent Parking Lot.

Ordinance 19-2019 is listed for Introduction.

ADVERTISED HEARINGS

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on April 22, 2019, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

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

**ORDINANCE 15-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$100,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND
FOR SUBSTATION FEEDER PROTECTION RELAYS AND GAUGES AND
RELATED MATERIALS**

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WHEREAS, the Electric Utility Superintendent has recommended that the Borough appropriate \$100,000.00 from the Electric Capital Improvement Fund for Substation Feeder Protection Relays and Gauges and related materials; and

WHEREAS, funds are available in the Electric Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$100,000.00 from the Electric Capital Improvement Fund for Substation Feeder Protection Relays and Gauges and related materials.

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 \$100,000.00 is hereby appropriated from the Electric Capital Improvement Fund for Substation Feeder Protection Relays and Gauges and related materials.

SECTION 40: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mayor Conley opened up the public hearing on Ordinance 15-2019. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 15-2019, which was read by title, be finally adopted. Ms. Baillie seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 15-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 16-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$131,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF RADIO EQUIPMENT**

WHEREAS, the Madison Fire Chief has recommended that the Borough appropriate \$131,000.00 from the General Capital Improvement Fund for the purchase of radio equipment and related materials; and

WHEREAS, funds are available in the General Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

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WHEREAS, the Borough Council has determined that the Borough should appropriate \$131,000.00 from the General Capital Improvement Fund for the purchase of radio equipment and related materials.

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 \$131,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of radio equipment and related materials.

SECTION 40: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mayor Conley opened up the public hearing on Ordinance 16-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 16-2019, which was read by title, be finally adopted. Mr. Rowe seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 16-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 17-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$125,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE REPLACEMENT OF COMMUNICATIONS DISPATCH DESKS AND
RELATED RADIO EQUIPMENT**

WHEREAS, the Madison Police Chief has recommended that the Borough appropriate \$125,000.00 from the General Capital Improvement Fund for the purchase of communication dispatch desks and related radio/telephone equipment; and

WHEREAS, funds are available in the General Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$125,000.00 from the General Capital Improvement Fund for the purchase of communication dispatch desks and related radio/telephone equipment.

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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 \$125,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of communication dispatch desks and related radio/telephone equipment.

SECTION 40: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mayor Conley opened up the public hearing on Ordinance 17-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 17-2019, which was read by title, be finally adopted. Mr. Rowe seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 17-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 18-2019
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$110,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
REPLACEMENT OF THE MUNICIPAL TELEPHONE SYSTEM**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$110,000.00 from the General Capital Improvement Fund for the replacement of the municipal telephone system; and

WHEREAS, funds are available in the General Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$110,000.00 from the General Capital Improvement Fund for the replacement of the municipal telephone system.

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 \$110,000.00 is hereby appropriated from the General Capital Improvement Fund for the replacement of the municipal telephone system.

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SECTION 40: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

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

Mayor Conley opened up the public hearing on Ordinance 18-2019. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 18-2019, which was read by title, be finally adopted. Mr. Hoover seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 18-2019 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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.

Larry Cohen; Volunteer Legislative Coordinator, the Humane Society of the United States, voiced support for proposed Ordinance 20-2019, banning the sale of dogs and cats in the Borough.

Cindy Knowles; Tewkesbury, raised objection to banning the sale of dogs and cats in the Borough of Madison.

Eric Range; Belleau Avenue, President of the Madison Board of Health, noted the Board's support for the introduction of Ordinance 20-2019.

Jonathan Dubreuil; Green Brook, NJ, raised objection to the introduction of Ordinance 20-2019.

Katherine Nice; Mount Olive, NJ, voice support for the introduction of Ordinance 20-2019.

Stephanie Earl; Furrylicious Pet Salon & Boutique, Whitehouse Station, NJ, raised objection to the introduction of Ordinance 20-2019.

Kirsten Wallerstein; Westerly Avenue, raised concern regarding plastic bottles at Borough ball fields and asked that additional trash receptacles be made available.

Tom Leach; Atco, New Jersey, asked for a meeting of the stakeholders to discuss the introduction of proposed Ordinance 20-2019.

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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 Wednesday, May 29, 2019 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 19-2019 ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 134 OF THE BOROUGH CODE ENTITLED 'PARKING LOTS' TO INCREASE DAILY PARKING FEES AT THE CRESCENT PARKING LOT

WHEREAS, the Director of Business Development has recommended revision of Chapter 134 of the Borough Code entitled "Parking Lots" to include the Madison Train Station Parking Lot and to set the daily parking fee at \$7.00; and

WHEREAS the Borough Council has determined to revise Chapter 134 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 134 of the Borough Code entitled "Parking Lots" is hereby amended to include the following:

Chapter 134. PARKING LOTS

§134-10: Parking Permits and Fees

....

B. Fees

....

(8) Train Station Parking Lot – Commencing June 1, 2019 the fee for parking in the Train Station Crescent Lot shall be \$7.00 for each twelve-hour period. This fee shall be posted at the Train Station Lot.

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

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

Ms. Baillie moved that Ordinance 19-2019, 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: Mrs. Vitale, Ms. Baillie, Mr. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

**ORDINANCE 20-2019 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING AND SUPPLEMENTING CHAPTER 59 OF THE BOROUGH CODE
PROHIBITING THE RETAIL SALE OF DOGS AND CATS IN THE BOROUGH**

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

WHEREAS, according to the Humane Society of the United States (“HSUS”), inspection records show that many USDA-licensed breeders breed dogs or cats in relatively inhumane conditions. These breeders are commonly referred to as “puppy mills” or “kitten factories.” Documented problems of “puppy mills” include: over-breeding; inbreeding; veterinary care that does not meet the same standards as other breeders; relatively poor quality of food and shelter; lack of human socialization; and overcrowded cages; and

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

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

WHEREAS, N.J.S.A. 4:19-15.8 contemplates municipal approval as a prerequisite to the establishment of pet shops for the retail sale of dogs and cats; and

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

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

WHEREAS, the Mayor and Council agree that eliminating the sale of dogs and cats in retail establishments will help decrease the number of animals being housed in shelters, pounds and rescue organizations, thus reducing the cost to the public for sheltering such animals; and

WHEREAS, the Mayor and Council believe that a ban on the retail sale of dogs and cats will provide community awareness of animal welfare, and in turn, will encourage a more humane environment in the Borough and will be in the best interests of the public health, safety and welfare, and in the best interests of the dogs

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and cats in the Borough; and

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

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

Section 1. Chapter 59 (Animals and Rabies Control) of the Code of the Borough of Madison is hereby amended to read as follows:

§ 59-1 Definitions.

ANIMAL CARE FACILITY

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

ANIMAL RESCUE ORGANIZATION

An individual or group of individuals who, with or without salary or compensation, house and care for homeless animals in the home of an individual or in other facilities, with the intent of placing the animals in responsible, more permanent homes as soon as possible.

ANIMAL RESCUE ORGANIZATION FACILITY

The home or other facility in which an animal rescue organization houses and cares for an animal.

KENNEL OR KENNEL OPERATOR

Any establishment or person who owns or operates such an establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop or pet store.

PET SHOP OR PET STORE

~~Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein animals for sale are kept or displayed.~~ **Any place of business which is not part of a kennel, wherein animals, including, but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.**

PET SHOP OPERATOR OR PET STORE OPERATOR

A person who owns or operates a pet shop or pet store, or both.

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§ 59-13.1 Prohibited acts; exceptions.

- A. No pet shop, pet shop operator, pet store, or pet store operator may sell, offer for sale, barter, auction, breed or otherwise dispose of dogs and cats in the Borough of Madison. Nothing in this section shall prohibit pet shops, pet shop operators, pet stores, or pet store operators from collaborating with animal care facilities, animal rescue organizations, pounds, or shelters to offer space for such entities to showcase adoptable dogs and cats.**
- B. Nothing contained herein shall prohibit an animal care facility, animal rescue organization, pound, or shelter from keeping, displaying, selling or otherwise transferring any dog, cat, or both, that has been seized, rescued, or donated.**

§ 59-17 Violations and penalties.

- C. The maximum fine for § 59-13.1 shall be not more than \$2,000.**

Section 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

Section 3. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. EFFECTIVE DATE. This Ordinance shall take effect after final passage and publication as prescribed by law.

Ms. Coen moved that Ordinance 20-2019, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

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

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

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

R 145-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE #1417-33-018-010 WAVERLY RESTAURANT GROUP, LLC TRADING AS BOTTLE HILL TAVERN

WHEREAS, an application has been filed for a place-to-place transfer of Plenary Retail Consumption License # 1417-33-018-010 for the purpose of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Madison does hereby approve, effective May 13, 2019, the expansion of the aforesaid Plenary Retail Consumption Licensed premises located at 13 Waverly Place, Madison to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

R 146-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF A NEW NEC PBX PHONE SYSTEM THROUGH THE NEW JERSEY STATE CONTRACT

WHEREAS, the Borough of Madison desires to award a contract for the purchase of a New Borough Phone System under the New Jersey State Contract program; and

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

WHEREAS, IPG Telecom of Belford, New Jersey, has been awarded the New Jersey State Contract T-1316/80801, Telecommunications Equipment and Services; and

WHEREAS, the Borough Qualified Purchasing Agenda/Personnel Director has recommended that the Borough Council utilize this contract for the purchase of a new phone system; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$110,000.00 for this purpose in Ordinance 18-2019.

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. A contract with IPG Telecom for the purchase of a New Borough Phone System, in an amount not to exceed \$110,000.00 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to IPG Telecom of Belford, New Jersey, for the purchase of a New Borough Phone System, in a form acceptable to the Borough Attorney.

R 147-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ROBERT WESTENBERGER TO THE PART TIME POSITION OF ACTING FIRE SUBCODE OFFICIAL

WHEREAS, the Construction Code Official has recommended that Robert Westenberger be appointed to the part time position of Acting Fire Subcode Official for the Borough of Madison to work up to twenty (20) hours per week without health benefits; 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, and State of New Jersey, that Robert Westenberger is hereby appointed to the position of Acting Fire Subcode Official/Inspector effective immediately to be compensated at an hourly rate of \$40.00 per hour.

R 148-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PARTICIPATION IN THE POLICE ASSISTED ADDICTION AND RECOVERY INITIATIVE (PAARI)

WHEREAS, the Borough Council of the Borough of Madison, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Police Chief has recommended that the Borough participate in the Morris County Police Assisted Addition Recovery Initiative (PAARI) Program designed to give individuals with substance abuse disorders a safe way to seek help for their addiction.

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 Madison Police Department is authorized to participate in the PAARI Program.

R 149-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SALE OF SURPLUS PROPERTY OF THE MADISON PUBLIC LIBRARY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

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WHEREAS, the Borough of Madison Public Library has determined that surplus reference shelving units and microfilm cabinets are no longer needed for public use; and

WHEREAS, the Borough of Madison intends to utilize the online auction services of Municibid to auction the surplus property.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Borough is hereby authorized to sell the surplus property as indicated on an online auction website entitled Municibid.com; and

BE IT FURTHER RESOLVED that the terms and conditions of the State Contract T-2581/Vendor ID V00018618 for online auction services is available in the Borough Clerk's office; and

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded by the Borough Clerk to the State of New Jersey Division of Local Government Services.

R 150-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JOHN DOWNS TO THE POSITION OF SUMMER INTERN IN THE MADISON POLICE DEPARTMENT

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

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that John Downs is hereby appointed to the position of Summer Intern in the Madison Police Department at the hourly rate of \$12.00/hour.

R 151-2019 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 89-2019 AUTHORIZING RELEASE OF SURETY BOND TO KRE MADISON NJ URBAN RENEWAL, LLC, ON BLOCK 3001, LOT 28

WHEREAS, Resolution 89-2019 authorized the release of Surety Bond in the amount of \$512,991.00 and \$57,127.67 cash bond to KRE Madison NJ Urban Renewal, LLC, in connection with site improvements completed at the former Green Village Road School site on Kings Road; and

WHEREAS, the amount of the cash bond should be \$57, 137.99.

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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 release of the Cash Bond described herein be amended and released to KRE Madison NJ Urban Renewal, LLC, upon receipt of a Maintenance Guarantee.

R 152-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE SHAKESPEARE THEATRE OF NEW JERSEY, INC.

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:

THE SHAKESPEARE THEATRE OF NEW JERSEY, INC.
I.D. No. 274-5-32247
R.A. No. 1442 – Off premise merchandise
January 3, 2020

R 153-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF DISPATCH EMERGENCY COMMUNICATION EQUIPMENT THROUGH THE NEW JERSEY STATE CONTRACT

WHEREAS, the Borough of Madison desires to award contracts for the purchase of Dispatch Emergency Communication Equipment under the New Jersey State Contract program; and

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

WHEREAS, PMC Associates, Inc. of Hazlet, New Jersey, has been awarded New Jersey State Contract T-0109/83900, and T-0109/83924, Telecommunications Equipment and Services; and

WHEREAS, the Borough Qualified Purchasing Agent/Personnel Director has recommended that the Borough Council utilize these contracts for the purchase of Dispatch Emergency Communications Equipment; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$310,000.00 for this purpose in Ordinances 31-2018, 39-2018 and 17-2019.

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. Contracts with PMC Associates, Inc. for the purchase of Dispatch Emergency Communication Equipment, in an amount not to exceed \$310,000.00 are hereby approved.

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2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute purchase orders and contracts to PMC Associates, Inc. of Hazlet, New Jersey, for the purchase of Dispatch Emergency Communication Equipment, in a form acceptable to the Borough Attorney.

R 154-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF AN AUDIO RECORDER FOR EMERGENCY COMMUNICATION EQUIPMENT THROUGH THE NEW JERSEY STATE CONTRACT

WHEREAS, the Borough of Madison desires to award a contract for the purchase of an Audio Recorder for Emergency Communication Equipment under the New Jersey State Contract program; and

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

WHEREAS, Eventide, Inc. of Little Ferry, New Jersey, has been awarded the New Jersey State Contract T-10109/83891, Telecommunications Equipment and Services; and

WHEREAS, the Borough Qualified Purchasing Agenda/Personnel Director has recommended that the Borough Council utilize this contract for the purchase of a new phone system; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$22,000.00 for this purpose in Ordinance 16-2019.

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

1. A contract with Eventide, Inc. for the purchase of an Audio Recorder for Emergency Communication Equipment, in an amount not to exceed \$22,000.00 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Eventide, Inc. of Little Ferry, New Jersey, for the purchase of an Audio Recorder for Emergency Communication Equipment, in a form acceptable to the Borough Attorney.

R 155-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF EMERGENCY COMMUNICATION CONSOLES THROUGH THE NEW JERSEY STATE CONTRACT

WHEREAS, the Borough of Madison desires to award a contract for the purchase of Emergency Communication Consoles under the New Jersey State Contract program; and

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

WHEREAS, Xybix Systems, Inc. of Littleton, New Jersey, has been awarded the New Jersey State Contract T- 0109/83922, Telecommunications Equipment and Services; and

WHEREAS, the Borough Qualified Purchasing Agenda/Personnel Director has recommended that the Borough Council utilize this contract for the purchase of equipment for a new phone system; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$42,000.00 for this purpose in Ordinance 16-2019.

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

1. A contract with Xybix, Inc. for the purchase of an Emergency Communication Consoles, in an amount not to exceed \$42,000.00 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Xybix, Inc. of Littleton, New Jersey, for the purchase of Emergency Communication Consoles, in a form acceptable to the Borough Attorney.

R 156-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXPENDITURE FROM THE OPEN SPACE TRUST FUND FOR REPLACEMENT OF THE WALL AT THE LUKE MILLER FORGE

WHEREAS, the Parks Advisory Committee has requested funding to replace the retaining wall at the Luke Miller Property; and

WHEREAS, the Open Space Advisory Committee has recommended that up to \$3,400.00 from the Municipal Open Space Trust Fund be disbursed for the requested replacement of the retaining wall at the Luke Miller Property; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Municipal Open Space Trust Fund in an amount not to exceed \$3,400.00 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, that up to \$3,400.00 is hereby authorized to be allocated from the Municipal Open Space Trust Fund to replace the retaining wall at the Luke Miller Property.

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R 157-2019 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH NEW JERSEY TRANSIT FOR THE CRESCENT PARKING AREA

WHEREAS, the Borough entered into a Lease Agreement with New Jersey Transit in regard to leasing a portion of Block 2703, Lot 1, at the Madison Railroad Station for the Crescent parking lot and adjacent sidewalks and lawns, but not for any of the buildings, stairways, platform or tracks; and

WHEREAS, the Borough desires to renew the lease per the agreement under which the Borough and/or their designee would continue to collect the parking revenues and perform landscaping and snow removal with the revenues as well as fund other improvements or projects to the leased area of the property, or other projects related to improvement of the railroad station; and

WHEREAS, the Borough has determined that it is in the best interest of the public to renew such Lease.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Mayor and the Borough Clerk are authorized to sign a New Lease Agreement with New Jersey Transit, including the terms and conditions set forth herein, and in a form acceptable to the Borough Attorney.

R 158-2019 RESOLUTION OF THE BOROUGH OF MADISON AWARDED PROFESSIONAL SERVICES CONTRACT TO J.A. MIHALIK ARCHITECT, LLC TO DESIGN PROJECT FOR ARCHITECTURAL PLANS AND SPECIFICATIONS FOR THE POLICE FIRE ARMS TRAINING FACILITY IN AN AMOUNT NOT TO EXCEED \$18,000.00

WHEREAS, the Assistant Borough Engineer has recommended awarding a professional services contract for architectural plans and specifications for the Police Fire Arms Training Facility; 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 Assistant Borough Engineer has recommended that the Borough Council award the contract to J.A. Mihalik Architect, LLC in an amount not to exceed \$18,000.00; and

WHEREAS, J.A. Mihalik Architect, LLC has submitted 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

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WHEREAS, funds are available in the Engineering Professional Services or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with J.A. Mihalik Architect, LLC for design services for architectural plans and specifications for the Police Fire Arms Training Facility in an amount not to exceed \$18,000.00, such contract to be in a form approved by the Borough Attorney.

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

R 159-2019 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A PROFESSIONAL SERVICES CONTRACT TO GREENER BY DESIGN, LLC TO COORDINATE THE MRC DIVERSION REQUEST WITH MORRIS COUNTY

WHEREAS, the Borough Administrator has recommended awarding a professional services contract to coordinate the MRC diversion request with Morris County; 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 Administrator has recommended that the Borough Council award the contract to Greener By Design, LLC in an amount not to exceed \$17,200.00; and

WHEREAS, Greener By Design, LLC has submitted 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, funds are available in the Municipal Affordable Housing Trust Fund or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

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1. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract with Greener By Design, LLC for design services to coordinate the MRC diversion request with Morris County in an amount not to exceed \$17,200.00, such contract to be in a form approved by the Borough Attorney.

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

**R 160-2019 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AUTHORIZING A CONTRACT AWARD FOR DAILY COMPUTER
NETWORKING/MAINTENANCE SERVICES TO SAI ENTERPRISES OF
BURLINGTON, MA**

WHEREAS, the Borough of Madison publicly advertised for bids for daily computer networking/maintenance services (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the sole qualified bid was submitted by SAI Enterprises, Inc., of Burlington, Massachusetts in the amount of \$62.50 per hour; and

WHEREAS, the Qualified Purchasing Agent has recommended that the Borough Council award the contract to SAI Enterprises, Inc. in the amount of \$62.50 per hour; and

WHEREAS, the Chief Financial Officer has attested that funds are available at a rate of \$62.50 per hour for this purpose in Account #501, subaccount #215, in the 2019 Operating Budget.

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

1. The two (2) year contract with renewal options for daily computer networking/maintenance services is hereby awarded to SAI Enterprises, Inc. based upon its bid in the amount of \$62.50 per hour.

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

**R 161-2019 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING
PAYMENT #2 TO JO MED CONTRACTING CORP. FOR THE GREENWOOD
AVENUE WATER MAIN REPLACEMENT PROJECT**

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WHEREAS, the Assistant Borough Engineer has advised the Borough Council that work for the water main replacement on Greenwood Avenue is complete to date; and

WHEREAS, the Council wishes to authorize disbursement of Payment #2 in the amount of \$199,439.80 for work completed to date; and

WHEREAS, the Chief Financial Officer has confirmed that adequate funds for this purpose are contained in Ordinance 18-2018 (W-06-55-614-602).

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 \$199,439.80 to the Jo Med Contracting Corp. for the Greenwood Avenue Water Main Replacement project is approved.

R 162-2019 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING PAYMENT #1 TO MBT CONTRACTING FOR THE MADISON ELECTRIC STORAGE BUILDING PROJECT

WHEREAS, the Assistant Borough Engineer has advised the Borough Council that work for the Madison Electric Storage Building project is complete to date; and

WHEREAS, the Council wishes to authorize disbursement of Payment #1 in the amount of \$119,198.87 for work completed to date; and

WHEREAS, the Chief Financial Officer has confirmed that adequate funds for this purpose are contained in Ordinances 3-2015 and 37-2018 (W-06-55-600-602).

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 \$119,198.87 to MBT Contracting, for the Madison Electric Storage Building project is approved.

R 163-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN SABRINA LIU AS AN INTERN IN THE FINANCE OFFICE AND PUBLIC LIBRARY

WHEREAS, the Assistant Borough Administrator/CFO has recommended the appointment of Ms. Sabrina Liu, as a part-time unpaid Intern in the Finance Office and Public Library; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of

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Ms. Sabrina Liu, as a part-time unpaid Intern in the Finance Office and Public Library, is hereby approved.

R 164-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING LOUIS AMMIRATO, JR. TO THE POSITION OF OFFICE ASSISTANT, FULL-TIME IN THE CONSTRUCTION DEPARTMENT

WHEREAS, the Assistant Borough Administrator/CFO recommends the appointment of Louis Ammirato, Jr., to the position of Accounts Clerk/Assistant to the Construction Code Official; 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 Louis Ammirato, Jr. is hereby appointed to the position of Accounts Clerk/Assistant to the Construction Code Official at an annual salary of \$46,000.00.

R 165-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING KATHLEEN S. NOTINE TO THE FULL-TIME POSITION OF DEPUTY BOROUGH CLERK

WHEREAS, the Borough Clerk has recommended the appointment of Kathleen S. Notine, to the full time position of Deputy Borough Clerk; 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 Kathleen S. Notine is appointed to the full time position of Deputy Borough Clerk, effective May 20, 2019.

BE IT FURTHER RESOLVED, that Kathleen S. Notine be compensated at an annual salary of \$50,000.00.

R 166-2019 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING VIVIEN THORSEN TO THE POSITION OF DEPUTY COURT ADMINISTRATOR

WHEREAS, the Personnel Director/QPA and Joint Municipal Court Administrator have recommended that Vivien Thorsen be appointed to the position of Deputy Court Administrator; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Vivien Thorsen is hereby appointed to the position of Deputy Court Administrator of the Madison Joint Municipal Court, to be compensated at \$47,000.00 annually.

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R 167-2019 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY CHESHIRE HOME

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

CHESHIRE HOME
I.D. No. 149-4-29290
R.A. No. 1478 – On premise 50/50
Date of Raffles – June 17, 2019

R 168-2019 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF JOSEPHINE RUSSO TO A SUMMER INTERN POSITION IN THE LAND USE DEPARTMENT

WHEREAS, the Borough Administrator has recommended the appointment of Josephine Russo as a Summer Intern in the Land Use 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 2019 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 the appointment of Josephine Russo to Summer Intern in the Land Use Department, at the rate of pay of \$12.00 per hour, for up to 25 hours per week, is hereby approved.

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	\$452,498.59
General Capital Fund	4,075.15
Electric Operating Fund	801,928.51
Electric Capital Fund	7,416.96
Water Operating Fund	6,187.68
Water Capital Fund	19,640.00
Trusts	<u>160,168.90</u>
Total	<u>\$1,451,915.79</u>

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

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

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NEW BUSINESS

Mayor Conley announced the following appointments and requests Council confirmation:

DOWNTOWN DEVELOPMENT COMMISSION

Robert Landrigan, 39 Green Village Road, *At Large Member*, for an unexpired three year term through December 31, 2019.

Robert Rocco, 215 Central Avenue, *Merchant/Business owner*, for an unexpired three year term through December 31, 2019.

LOCAL EMERGENCY PLANNING COUNCIL

Robert Landrigan, 39 Green Village Road, *Asst. Dep Coordinator*, for an unexpired one year term through December 31, 2019.

Mrs. Vitale moved the above listed appointments. 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. Rowe,
Ms. Byrne, Mr. Hoover, Ms. Coen
Nays: None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved June 10, 2019 (EO)