

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

May 27, 2015 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 27th day of May, 2015. 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 8, 2015. 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 Landrigan

Carmela Vitale

Astri J. Baillie

Patrick W. Rowe

Absent: Robert G. Catalanello, excused

Benjamin Wolkowitz, excused

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)

April 27, 2015

May 11, 2015

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

CONTRACT MATTERS (5)

METC LEASE CHANGES

PBA CONTRACT AMENDMENT

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IT SERVICES

CIVIC CENTER REDEVELOPMENT UPDATE

RIDGEDALE AVENUE IMPROVEMENTS

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

PERSONNEL MATTERS (1)

SOCIAL MEDIA POLICY

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

Seconded: Mr. Catalanello

Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

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

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of April 27, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Ms. Baillie moved approval of the **Regular Meeting Minutes of April 27, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Ms. Baillie moved approval of the **Executive Minutes of May 11, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Ms. Baillie moved approval of the **Regular Meeting Minutes of May 11, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

Mayor Conley thanked the members of the Patriotic Celebrations committee for their efforts with the Memorial Day Parade and commemoration. Mayor Conley also thanked residents that attended the Civic Center redevelopment information meeting held Tuesday, May 26, 2015 at the Madison Civic Center.

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Mayor Conley wished good luck to the following student athletes in this weekend's Track and Field State Championship competitions:

Madison Girls Track and Field Team placed 4th in the North 2, Group 2 Sectional Championships.

The following athletes placed in their respective events and will be competing at the Group 2 State Championships:

Helene Rowland - Shot put (2nd place); Discus (3rd place); Javelin (2nd place)

Rose Ciriello - 400m Hurdles (5th), 400m (4th), 800m (1st), High Jump (5th)

Cara Smith - 1600m (4th); 4 x 800m relay (4th)

Meghan Timmons - 1600m (6th); 4 x 800m relay (4th)

Libby Johnson - 4 x 800m relay (4th)

Lauren Dattilo - 4 x 800m relay (4th)

Madison Boys Track Team finished 9th place this past weekend at the North 2 Group 2 State Sectional Championships held at Bernards High School.

The following athletes will compete at the Group 2 State Championships this weekend at South Plainfield High School.

Will Hendrickson 400IH/800/4x800

Connor Riley 1600/3200/4x800

Noah Buzinkai 3200/4x800

Sawyer Tadano 4x800

The 4x800 team set a new school record with a time of 8:18.49!

REPORTS OF COMMITTEES

Community Affairs

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

The Madison Farmer's Market will open Thursday, June 4th at its new location on Central Avenue. A ribbon cutting ceremony will be held at 2:00 p.m. Bottle Hill Day will be held Saturday, October 3, 2015. The Senior Advisory Committee reports that Patrolman Chad Rybka presented a talk on Scams & Frauds to a small group, all who had experienced attempted scams. The Seniors will collaborate with Officer Rybka on publicizing his home security review for seniors in the next newsletter. The next senior trip is to the New York Botanical Garden in the Bronx on June 2nd is filled.

Public Safety

Mr. Catalanello, absent.

Utilities

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

The Electric Department reports completion of the confined space training and installed new poles on Woodland Road, Britten Street and Dellwood Pkwy. They have also install cable and a transformer on Britten Street. Mrs. Vitale explained that the Borough is asking residents and businesses to voluntarily reduce their electric consumption for just a few hours on the hottest days of the year. In doing so, Madison could save \$80,000 or more in peak demand charges. These savings could help reduce electric rates and help reduce property taxes. Notifications are sent out on the 8 or 9 hottest days during the summer, asking residents to voluntarily reduce their electric consumption. Please sign up to receive text and

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email notifications from the Borough today. Mrs. Vitale noted that the Water Department continues water testing and assistance with tree planning and hydrant flushing. Mrs. Vitale thanked the members of the Patriotic Celebrations Committee for their hard work on the Memorial Day Parade and also thanked the students who submitted essays and artwork.

Finance and Borough Clerk

Mr. Landrigan, Chair of the Committee, made the following comments: Mr. Landrigan provided explanation of comments made regarding reported increases to property taxes and noted that the Board of Education operates on a fiscal year and the Borough operates on Calendar year. Please call the Administrator or Mr. Landrigan if there are further questions. Mr. Landrigan noted that the Madison Athletic Foundation presented the Borough with a \$50,000.00 check from their recent fund raising efforts. Reporting for the Health Department Mr. Landrigan noted that a Heart Health screening clinic was held May 14th and a Men's Cancer Screening clinic will be held June 8th.

Health

Mr. Wolkowitz, absent.

Public Works and Engineering

Mr. Rowe, Chair of the Committee, made the following comments: The Public Works Department has planted a total of 105 trees for the Shade Tree Commission and placed over 200 hanging baskets around our downtown. The Ridgedale Avenue Reconstruction bid opening was held on May 14th. The lowest bid received was over the appropriated funds, so there is a need for a supplemental appropriation. PSE&G is progressing on gas main replacement work started on April 22nd Six Mill and Overlay projects were completed prior to the holiday weekend. A portion of the signage and striping work remains to be completed. The residents of Morris Place, Danforth Road, Sherwood Ave, Longview Ave, Candlewood and Fox Chase Rd should be congratulated on the cooperation during the week long project preceding Memorial Day. A presentation to the Morris County Historic Preservation Trust for funding of the East Wing renovation project is scheduled for Monday evening at the Morris County Public Library. The 2015 Sewer Main lining bid was advertised and is scheduled for opening on June 11th. Quotes have been received for skating rink drainage improvements at Memorial Park Sports Field/Ice Rink and fall construction work is anticipated. Bid documents to improve the fields at Bayley Ellard and resolve the final environmental issues are being assembled in house anticipating summer bids and fall construction. The NJ Department of Environmental Protection and Economic Development Authority have indicated there are site remediation funds available to assist with the project. At the conclusion of the project, Madison will apply for those grants with the assistance of our Licensed Site Remediation Professional, Roy Redmond. Replacement of both the lighting system and resurfacing of the courts at Dodge Field is scheduled to take place this summer.

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

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on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Since no other member of the public wished to be heard, the public hearing was closed.

AGENDA DISCUSSIONS

05/27/2015-1 TROOP 7 BOY SCOUTS RECYCLING STICKER PROGRAM

A request from Boy Scout Troop 7 to sell recycling stickers to Madison Residents at a cost of \$3.00 met no objection. The scouts were asked to contact the Police Department for the non-solicitation list.

05/27/2015-2 APPROPRIATION OF AN ADDITIONAL \$6,000.00 FOR RESTORATION AND RENOVATION OF THE EAST WING OF THE HDM
Ms. Baillie explained a request by the Borough Engineer for additional funds for a matching grant for professional services to plan a restoration of the East Wing of the Hartley Dodge Memorial. There was no objection to listing an ordinance for introduction.

Ordinance 39-2015 is listed for introduction.

05/27/2015-3 APPROPRIATION OF \$200,000.00 FOR REMEDIATION OF THE BAYLEY ELLARD PLAYING FIELDS

Ms. Baillie noted an Open Space funding request to complete the remediation of the Bayley Ellard playing Fields. There was no objection to listing an ordinance for introduction.

Ordinance 40-2015 is listed for introduction.

05/27/2015-4 SPORTS RELATED CONCUSSION PROTOCOL

Ms. Baillie explained the proposed policy to ensure that all recognized sports groups follow a uniform concussion protocol and that all volunteers complete a brain injury prevention training program.

Resolution R 160-2015 is listed on Consent Agenda.

ADVERTISED HEARINGS

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on May 11, 2015, 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 34-2015
ORDINANCE OF THE BOROUGH OF MADISON AMENDING
ORDINANCE 11-2014, PERTAINING TO THE SALARY RANGES FOR
CERTAIN NON-UNION FULL-TIME EMPLOYEES**

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WHEREAS, the Borough Council has determined to establish an 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 11-2014 setting the salary ranges for non-union full-time employees is hereby amended as follows:

TITLE	MINIMUM	MARKET VALUE	MAXIMUM
Qualified Purchasing Agent/Personnel Officer	\$70,000	\$75,000	\$80,000

Section 2. This ordinance shall take effect on January 1, 2015.

Mayor Conley opened up the public hearing on Ordinance 34-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Landrigan moved that Ordinance 34-2015, 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Rowe

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Mayor Conley declared Ordinance 34-2015 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 35-2015
ORDINANCE OF THE BOROUGH OF MADISON AMENDING AND
SUPPLEMENTING CERTAIN AFFORDABLE HOUSING PROVISIONS OF
CHAPTER 195 OF THE MADISON BOROUGH CODE ENTITLED “LAND
DEVELOPMENT ORDINANCE”**

STATEMENT OF PURPOSE: The purpose of this ordinance is to require a 20% minimum inclusionary affordable housing obligation, in all zoning districts, for all residential projects with five or more units, and a payment in lieu for any partial units. Due to the lack of available land within the Borough for stand-alone affordable housing projects, the Borough believes its commitment to affordable housing is best advanced by requiring inclusionary affordable housing development as set forth in this Ordinance, and by requiring all affordable housing units to remain affordable for a period of not less than 30 years.

WHEREAS, the Madison Borough Planning Board has reviewed the Land Development Ordinance of the Borough of Madison and recommends that the Borough Council consider amending and supplementing that Ordinance to require a

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20% minimum inclusionary affordable housing obligation for all residential projects with five or more units, and a payment in lieu for any partial units consistent with the regulations of the New Jersey Council on Affordable Housing (“COAH”) as now in effect or hereafter amended (the “COAH Regulations”); and

WHEREAS, the Planning Board recommends to the Borough Council the adoption of these amendments and supplements to the Land Development Ordinance and finds that they are substantially consistent with the Master Plan or designed to effectuate such plan elements, and/or if they are wholly or partially inconsistent, that an affirmative vote of the majority of the full authorized membership of the governing body has been received in recognition of the substantial public benefits as cited in the Statement of Purpose section of this Ordinance.

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 195-48 of Chapter 195 of the Madison Borough Code entitled “Affordable Housing Growth Share Requirements” shall be amended and supplemented to read as follows:

§195-48. Affordable Housing Inclusionary Development Requirements

A. Purpose. The purpose of this **§ 195-48** is to require all new developments to include a minimum 20% inclusionary set aside for affordable housing.

B. Applicability. The provisions of this **§ 195-48** shall apply to all new development activity in the Borough of Madison regardless of whether the development requires approval by the Planning Board or Board of Adjustment, except as expressly exempted herein.

C. Exemptions. The provisions of this **§ 195-48** shall not apply to the following development activities:

(1) thru (6) No change.

(7) (New section added) Any redevelopment project which, prior to the date of this Ordinance:

(a) is being proposed by a redeveloper that has been designated by the Borough of Madison for such project; and

(b) the Redevelopment Agreement between the Borough of Madison and the designated redeveloper provides for a monetary contribution for affordable housing.

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D. Residential development. All new residential developments in all zones, except as exempted above, shall be subject to the following affordable housing requirements:

(1) In the case of residential development in any zoning district involving the creation and/or development and/or addition of five or more market rate dwelling units and/or single-family building lots, at least twenty percent (20%) of all dwelling units and/or single family building lots must be an affordable housing unit. Any fractional affordable housing requirement may be addressed by a payment in lieu pursuant to **§ 195-48D(2)**. The required affordable housing unit(s) shall be constructed on-site, unless the Borough approves a proposal involving the provision of affordable housing elsewhere within the Borough of Madison. Construction of the affordable housing unit(s) shall be subject to the standards and requirements in **§ 195-48F**. Affordable housing units constructed as part of an inclusionary development under this section shall be subject to the affordable housing policies, procedures and administration provisions of **§ 195-47**.

(2) In the case of residential development involving the creation of fewer than five dwelling units and/or single-family building lots, the developer shall be required to make a payment in lieu of providing affordable housing, which shall be placed in the payment-in-lieu fund governed by **§ 195-48I**. The amount of the required payment shall be consistent with COAH Regulations and shall be negotiated with the Borough based on consideration of the anticipated cost of providing affordable housing units. The minimum payment amount shall be calculated based on \$182,750 multiplied by the fractional affordable housing requirement as calculated to two decimal points.

~~(3) The Planning Board may on application waive the requirement in **§ 195-48D(1)** for affordable housing to be provided on-site and authorize a payment in lieu pursuant to **§ 195-48D(2)**. (This subsection (3) to be deleted).~~

(E) thru (I) No Change.

SECTION 2: § 195-47 of Chapter 195 of the Madison Borough Code entitled “Affordable housing policies, procedures and administration” shall be amended and supplemented to increase the length of affordability controls, as follows:

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In subsections D, 0(1), P(2)(a)[1], and P(5)(a)[1], the words “20 years” shall be replaced by the words “30 years”.

SECTION 3: This ordinance supersedes any inconsistent provisions of the Land Development Ordinance of the Borough of Madison, whether or not stated expressly herein. All other provisions of the Land Development Ordinance not inconsistent herewith shall remain in effect.

SECTION 4: This Ordinance shall take effect as provided by law.

Mayor Conley opened up the public hearing on Ordinance 35-2015. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 35-2015, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Mayor Conley declared Ordinance 35-2015 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 36-2015

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$21,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR PURCHASE OF VPI 24 PORT ANALOG RECORDING SYSTEM FOR THE MADISON POLICE DEPARTMENT

WHEREAS, the Chief of Police has recommended that the Borough appropriate \$21,000.00 from the General Capital Improvement Fund to purchase a VPI 24 Port Analog Recording System for the Police 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 \$21,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$21,000.00 from the General Capital Improvement Fund to purchase a VPI 24 Port Analog Recording System for the Police Department.

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 \$21,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a VPI 24 Port Analog Recording System for the Police Department.

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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.

Mayor Conley opened up the public hearing on Ordinance 36-2015. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 36-2015, 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Rowe

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Mayor Conley declared Ordinance 36-2015 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 37-2015
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$25,000.00 FROM THE ELECTRIC CAPITAL IMPROVEMENT FUND FOR
SIGNALIZATION IMPROVEMENTS**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$25,000.00 from the Electric Capital Improvement Fund for preventative maintenance and signalization improvements; 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 for preventative maintenance and signalization improvements.

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 for preventative maintenance and signalization improvements.

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 37-2015. Since no member of the public wished to be heard, the public hearing was closed.

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Mrs. Vitale moved that Ordinance 37-2015, 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Rowe

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Mayor Conley declared Ordinance 37-2015 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 38-2015
ORDINANCE OF THE BOROUGH OF MADISON ADOPTING A
REDEVELOPMENT PLAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-1
ET SEQ.**

WHEREAS, on April 27, 2015, the Mayor and Council adopted Resolution No. 140-2015 which determined the delineated area commonly known as 28 Walnut Street (Block 1601, Lot 42) to be “An Area In Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-14; and

WHEREAS, said Resolution authorized and directed the Borough Planner to prepare a Redevelopment Plan as defined in N.J.S.A. 40A:12A-3 for the delineated area; and

WHEREAS, the Mayor and Council by Resolution No.156-2015 referred the proposed Civic Center Redevelopment Plan to the Madison Planning Board pursuant to N.J.S.A. 40A:12A-7(e), for review and report thereon; and

WHEREAS, the proposed Civic Center Redevelopment meets all of the requirements of N.J.S.A. 40A:12A-7 and the area governed by the Plan is the same area as defined in Resolution No. 140-2015.

NOW THEREFORE BE IT ORDAINED by Mayor and Council of the Borough of Madison, County of Morris, State of New Jersey, that the Civic Center Redevelopment Plan dated May 8, 2015 is hereby approved.

BE IT FURTHER ORDAINED, that the Borough Clerk forward a true copy of the adopted ordinance to the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and publish said notice in accordance with N.J.S.A.40:49-2.d.

Mayor Conley opened up the public hearing on Ordinance 38-2015.

Martin Barbato; Arlena Court, raised concern regarding the proposed redevelopment of Madison Civic Center property noting the impact to the neighborhood. Mr. Barbato suggested Council pull back on the project.

Since no other member of the public wished to be heard, the public hearing was closed.

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Ms. Baillie moved that Ordinance 38-2015, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

Mayor Conley declared Ordinance 38-2015 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.

Since no other member of the public wished to be heard, the public hearing was closed.

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 June 22, 2015 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 39-2015 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING AN ADDITIONAL \$6,000.00 FROM THE MUNICIPAL
OPEN SPACE TRUST FUND TO ORDINANCE 13-2015 FOR
PROFESSIONAL SERVICES FOR THE RESTORATION AND
RENOVATION TO THE EAST WING OF THE HARTLEY DODGE
MEMORIAL BUILDING

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to restore and renovate the East Wing of the Hartley Dodge Memorial Building; and

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

WHEREAS, the Borough Council has determined that the Borough should appropriate an additional \$6,000.00 from the Municipal Open Space Trust Fund to

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Ordinance 13-2015 which appropriated \$10,000.00 for professional services associated with the restoration and renovation of the East Wing of the Hartley Dodge Memorial Building; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed an additional \$6,000.00 for this purpose in the Municipal Open Space Trust Fund.

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

SECTION 1: The amount of \$6,000.00 is hereby appropriated from the Municipal Open Space Trust Fund to supplement the \$10,000.00 authorized by Ordinance 13-2015 for professional services associated with the restoration and renovation of the East Wing of the Hartley Dodge Memorial Building.

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

Ms. Baillie moved that Ordinance 39-2015, 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. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Rowe

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

**ORDINANCE 40-2015 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$200,000.00 FROM THE MUNICIPAL OPEN SPACE
TRUST FUND FOR PHASE 2 SITE REMEDIATION OF THE BAYLEY
ELLARD PLAYING FIELDS**

WHEREAS, the Borough Council has determined to improve the fields, complete the remediation and make safety improvements at the Bayley Ellard Fields; and

WHEREAS, the Open Space Advisory Committee has reviewed and recommends the funding request; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$200,000.00 from the Madison Open Space Trust Fund for Phase 2 site remediation at the Bayley Ellard Fields; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$200,000.00 for this purpose in the Madison Open Space Trust Fund.

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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 \$200,000.00 is hereby appropriated from the Madison Open Space Trust Fund for Phase 2 site remediation at the Bayley Ellard Fields.

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

Ms. Baillie moved that Ordinance 40-2015, 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. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Rowe

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

**ORDINANCE 41-2015 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$5,740.00 FROM THE FIRE DEPARTMENT TRUST
FUND TO PURCHASE HYDRANT FLAGS**

WHEREAS, the Fire Chief has recommended that the Borough appropriate \$5,740.00 from the Fire Department Trust Fund to purchase 700 hydrant flags; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Fire Trust Fund in an amount not to exceed \$5,740.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$5,740.00 from the Fire Trust Fund to purchase 700 hydrant flags; 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 \$5,740.00 is hereby appropriated from the Fire Department Trust Fund to purchase 700 hydrant flags.

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

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

Mr. Rowe moved that Ordinance 42-2015, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

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ORDINANCE 42-2015 ORDINANCE OF THE BOROUGH OF MADISON AMENDING ORDINANCE 2-2015 APPROPRIATING \$950,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE ROAD IMPROVEMENTS ON RIDGEDALE AVENUE TO INCREASE THE APPROPRIATION FROM \$950,000.00 TO \$1,050,000.00

WHEREAS, Ordinance 2-2015 of the Borough of Madison appropriated \$950,000.00 from the General Capital Improvement Fund for road improvement to Ridgedale Avenue, including new pavement, traffic calming and pedestrian sidewalk ramp improvements; and

WHEREAS, the Borough Engineer has recommended that the Borough amend Ordinance 2-2015 to appropriate an additional \$100,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 2-2015 to \$1,050,000.00 for the road improvements to Ridgedale Avenue; 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 \$1,050,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should amend Ordinance 2-2015 to appropriate an additional \$100,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 2-2015 to \$1,050,000.00 for road improvements to Ridgedale Avenue.

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: Ordinance 2-2015 is hereby amended to appropriate an additional \$100,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 2-2015 to \$1,050,000.00 for road improvements to Ridgedale Avenue.

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

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

Mr. Rowe moved that Ordinance 42-2015, 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. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Rowe
Nays: None
Absent: Mr. Catalanello, Mr. Wolkowitz

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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. Mr. Rowe seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

R 159-2015 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING CONTRACT 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 \$59.50 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 \$59.50 per hour; and

WHEREAS, the Chief Financial Officer has attested that funds are available at a rate of \$59.50 per hour for this purpose in Account #501, subaccount #215, in the 2015 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 \$59.50 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 160-2015 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING A
SPORTS RELATED CONCUSSION PROTOCOL

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WHEREAS, the Center for Disease Control estimates that 300,000 concussions are sustained during sports-related activity each year in the United States; and

WHEREAS, a concussion is a traumatic brain injury (TBI) caused by a direct or indirect blow to the head or body; and

WHEREAS, in order to ensure the safety of young athletes, it is imperative that athletes, coaches, and parents/guardians are educated about the nature and treatment of sports-related concussions and brain injuries; and

WHEREAS, allowing a young athlete to return to play before recovering from a concussion increases the chance of a more serious brain injury that can result in severe disability and/or death.

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 following protocol shall be applicable to each sports organization sponsored by the municipality or using municipal facilities;

1. When a concussion is suspected a practice or competition:
 - a. The athlete shall be immediately removed from competition or practice and 911 should be called is there is a deterioration of symptoms, loss of consciousness, or direct neck pain associated with the injury.
 - b. In addition to the appropriate official in the sports organization, the coach or manager shall notify the parents/guardians and inform them of the suspected sports-related concussion.
 - c. The child shall be evaluated by a physician who is trained in the evaluation and management of concussions to determine whether or not a diagnosis of concussion is warranted.
 - d. Information and instructions regarding return to learn and return to play shall be provided to the parents/guardians.
 - e. The child must receive written clearance from a physician trained in the evaluation and management of concussions that states the student-athlete is asymptomatic at rest.
2. Pursuant to the requirements of N.J.S.A. 2A:62A 6, all staff, volunteers, coaches and officials shall complete a brain injury prevention training program that includes information about risk of concussion , prevention of concussion, and return to academic and sports-related activities when a concussion is suspected during practice or competition.

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3. On an annual basis, each such sports organization shall provide the municipality with a list of all such staff, volunteers, coaches and officials along with evidence of completion of a course that meets the requirements of this protocol.
4. If a sports organization is based in another municipality that has similar requirements, compliance with the requirements of this resolution can be met by producing a letter from the Municipal Clerk of the home town verifying that such organization is in compliance with the town's protocol.
5. If a sports organization sponsored by this municipality uses facilities of any Board of Education, it shall comply with that BOE's sports concussion prevention program adopted pursuant to N.J.S.A. 8A:40-41.3.
6. A copy of this resolution shall be sent to:
 - a. Each sports organization using municipal facilities
 - b. The Board of Education
 - c. The Brain Injury Alliance of New Jersey
Concussion in Youth Sports Committee
825 Georges Road
North Brunswick, NJ 08902

R 161-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MEMBERSHIP IN THE NATIONAL IPA COOPERATIVE

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the National IPA Cooperative, hereinafter referred to as the "IPA" has offered voluntary participation in a Cooperative Pricing System for purchase of goods and services; and

WHEREAS, on May 27, 2015, the governing body of the Borough of Madison, County of Morris, State of New Jersey duly considered participation in the National IPA Cooperative for the provision and performance of goods and services.

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

1. This Resolution shall be known and may be cited as a National IPA Cooperative Purchasing Resolution of the Borough of Madison.

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2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Purchasing Agreement with IPA.

3. The National IPA Cooperative shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

4. The Resolution shall take effect immediately upon passage.

R 162-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF TWO(2) PICKUP TRUCKS FROM WINNER FORD OF CHERRY HILL, NEW JERSEY

WHEREAS, the Borough of Madison desires to purchase two (2) pickup trucks for the Public Works Department from an authorized vendor under State Contract #88758; and

WHEREAS, the purchase of goods and services through State agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq; and

WHEREAS, Winner Ford, 250 Haddonfield Berlin Road, Cherry Hill, New Jersey has been awarded New Jersey State contract number #88758; and

WHEREAS, the Public Works Superintendent has recommended that the Borough Council utilize this contract for the purchase of two (2) pickup trucks, and accessory equipment in the amount of \$53,058.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$53,058.00 for this purpose in Ordinance 22-2015.

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 purchase of two (2) pickup trucks and accessory equipment from Winner Ford, at a total price not to exceed \$53,058.00 is hereby approved under the New Jersey State contract number #88758.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Winner Ford for the purchase of two (2) pickup trucks, and accessory equipment at a total price not to exceed \$53,058.00, in a form acceptable to the Borough Attorney.

R 163-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF TWO SERVICE BODIES FOR PICKUP TRUCKS WITH ACCESSORIES UNDER MORRIS COUNTY COOPERATIVE PRICING COUNCIL

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WHEREAS, the Borough of Madison desires to award a contract for the purchase of two service bodies for pickup trucks with accessories under the Morris County Co-Operative Pricing Council 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, Cliffside Body Corporation, 130 Broad Avenue, Fairview, New Jersey, 07022 has been awarded Morris County Co-Operative Pricing Council contract number 15-D; and

WHEREAS, the Public Works Superintendent has recommended that the Borough Council utilize these contracts for the purchase of two service bodies for pickup trucks with accessories under contract 15-D; in the amount of \$49,828.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$49,828.00 for this purpose in appropriation Ordinance 22-2015

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 for the purchase of two service bodies for pickup trucks with accessories, for \$49,828.00 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 Cliffside Body Corporation, 130 Broad Avenue, Fairview, New Jersey, 07022, for the purchase of two services bodies for pickup trucks with accessories at a total price not to exceed \$49, 828.00, in a form acceptable to the Borough Attorney.

R 164-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON VOLUNTEER AMBULANCE CORP 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:

MADISON VOLUNTEER AMBULANCE CORP INC.
I.D. No. 274-10-31453
R.A. No. 1347 – Off Premise
November 27, 2015

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R 165-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE ROTARY CLUB OF MADISON

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

ROTARY CLUB OF MADISON
I.D. No. 274-8-20538
R.A. No. 1348 – Off Premise
December 10, 2015

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

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

Public Safety	\$15,144.82
Health & Public Assistance	3,348.63
Public Works & Engineering	149,055.86
Community Affairs	10,825.24
Finance & Borough Clerk	48,071.98
Utilities	<u>429,138.39</u>
Total	<u>\$655,584.92</u>

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

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

Nays: None

Absent: Mr. Catalanello, Mr. Wolkowitz

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved June 22, 2015 (EO)