

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

**June 12, 2017 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 12<sup>th</sup> day of June, 2017. 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 5, 2017. 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  
Benjamin Wolkowitz  
Patrick W. Rowe  
Maureen Byrne

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**

Mrs. Vitale moved:

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

MINUTES FOR APPROVAL (1)

None

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

CONTRACT MATTERS (3)

JOINT MEETING SEWER CAPACITY STUDY

ENTERPRISE NETWORK RESOLUTIONS CONTRACTING, LLC

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EXCESS ELECTRIC UTILITY CAPACITY CREDITS

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

PERSONNEL MATTERS (2)

NON-UNION F/T CONFIDENTIAL EMPLOYEES

SUMMER INTERNS

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

LITIGATION MATTERS (2)

AFFORDABLE HOUSING UPDATE

SETTLEMENT AGREEMENT

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

Seconded: Ms. Baillie

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- None**

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

EMPLOYEE OF THE MONTH FOR JUNE:

The Employee of the Month for June is Donna Carey of the Water and Light Billing Department for her commitment and hard work to implement the new electric dividend program.

PROCLAMATION:

Mayor Conley presented a Proclamation to Vincent Ciccarelli for 46 years of Service with the Madison Auxiliary Police.

R 166-2017 RESOLUTION OF THE BOROUGH OF MADISON  
APPOINTING EDWARD O'DONNELL AS AUXILIARY POLICE OFFICER  
FOR THE BOROUGH OF MADISON

**WHEREAS**, the Chief of Police has recommended that Edward O'Donnell be appointed as Auxiliary Police Officer; 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 Edward O'Donnell is appointed as Auxiliary Police Officer, effective immediately.

Mr. Landrigan moved adoption of Resolution R 166-2017. 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie,  
Mr. Wolkowitz, Mr. Rowe, Ms. Byrne  
Nays: None

Mayor Conley administered the oath of office to Auxiliary Police Officer Edward O'Donnell.

### ***REPORTS OF COMMITTEES***

#### **Public Works and Engineering**

Mrs. Vitale, Chair of the Committee, made the following comments:  
A sidewalk and lighting improvements project at the Hartley Dodge Memorial has commenced. Signal improvements at Woodland and Loaktanka Roads have also begun. The bleacher and press box installation at the MRC should be completed soon. The Public Works staff has completed training by the JIF and continues repairs on all Borough vehicles. Mrs. Vitale thanked the members of the Patriotic Celebrations Committee for their fine work honoring Madison's Veterans on Memorial Day. Mrs. Vitale invited those in attendance to join her at the dedication of a new flag pole at Lucy D. Anthony Field, dedicated to the families that resided in Veteran Housing at this site just after World War II.

#### **Public Safety**

Mr. Landrigan, Chair of the Committee, made the following comments:  
The Fire Department responded to 24 general alarms and 129 EMS calls in the month of May. Kevin Williams and Brian Castano completed the Firefighter I training.

#### **Finance and Borough Clerk**

Ms. Baillie, Chair of the Committee, made the following comments:  
New time clocks have been installed in various Borough buildings. The Tax Collector's office is expecting to mail out the 2017-2018 tax bills in early July, as soon as the County has certified the tax rate. Residents will be notified when the bills have been mailed. The Auditors visited the Borough last month and a draft of the audit has been completed.

#### **Utilities**

Mr. Wolkowitz, Chair of the Committee, made the following comments:  
The Water Department completed repairs to D Well and the well is back online. The Department received 114 requests for mark outs. The automated meters have arrived and staff training will take place the second week in July.

#### **Health**

Mr. Rowe, Chair of the Committee, made the following comments:  
The State of New Jersey is conducting an annual audit of the Health Department. The proposed massage ordinance will be considered at the June 20<sup>th</sup> Board of Health meeting. The health Department held a food handlers course in Springfield, June 8<sup>th</sup>. Mr. Rowe noted his attendance at the Morris County Freeholder's on May 24<sup>th</sup>.

#### **Community Affairs**

Ms. Byrne, Chair of the Committee, made the following comments:  
Every Thursday through October 26<sup>th</sup> the DDC will be celebrating the 25th season of the Madison Farmers' Market. The Market is located on Central Avenue between Main Street and Cook Avenue. The Market hours are 2:00 to 7:00 pm. Every week

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features special activities and live music. On Friday, June 30th from 6:00 to 8:00 p.m. the Museum of Early Trades & Crafts (METC) and the Madison Downtown Development Commission invite guests to the first concert in the Downtown Concert Series, featuring Madison-based rock n' roll band 'What's What'. The Downtown Concert Series will feature free, family-friendly concerts, held outside on the lawn of the Museum.

**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.**

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

**AGENDA DISCUSSIONS**

**06/12/2017-1 UTILITY ORDINANCE AMENDMENTS**

Mr. Burnet explained the proposed ordinance amendments for better policies and procedures regarding utility billing.

Ordinances 28-2017 29-2019 and 30-2017 are listed for Introduction.

**06/12/2017-2 DOWNTOWN REVITALIZATION STUDY - UPDATE**

Mr. Wolkowitz provided an update on the Downtown Revitalization Committee's activities since the presentation by Urbanomics at the last Council meeting and noted that hiring a Downtown Manager is a priority, as recommended. Mr. Wolkowitz noted that a job description will be prepared and shared with Council at the next Council meeting.

**ADVERTISED HEARINGS - None**

**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.**

**Jesse Esposito; Community Place**, raised concern regarding parking on Community Place.

**Terry Romano; West Lane**, expressed concern regarding invasive bamboo and asked that the Council consider an ordinance to regulate bamboo.

**Sam Romano; West Lane**, thanked that Mayor and Council for the lighting improvements at the Hartley Dodge Memorial and noted the need for an ordinance to regulate bamboo.

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**Tom Ambruzzo; Maple Avenue**, thanked Mayor Conley for meeting on June 1<sup>st</sup> to discuss the Welcoming Community resolution and clarification from the Borough Attorney and noted he would review the legal issues.

**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 26, 2017 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 28-2017 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 94 ATTACHMENT 2, APPENDIX B ENTITLED  
“PAYMENT OF WATER AND ELECTRIC BILLS”

BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF MADISON IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY, as follows:

**Chapter 94 Attachment 2, Appendix B entitled “Payment of Water and Electric Bills” of the “Code of the Borough of Madison” is hereby amended to read as follows:**

**ELECTRIC UTILITY  
Chapter 94 Attachment 2  
Appendix B  
PAYMENT OF WATER AND ELECTRIC BILLS**

All bills and charges for water and electric service are due when rendered and must be paid within 25 days of the billing date.

When an account is past due it becomes delinquent and a delinquent notice shall be sent.

If the delinquent customer is a tenant, the property owner shall be sent a copy of the delinquent notice with a reminder that the property owner is ultimately responsible for the payment of the bill.

If a bill is unpaid 25 days after the date due, service may be discontinued and an 8% annual interest charge added to the account balance for amounts less than \$1,500. For any amount over \$1,500, the interest rate shall be 18% annual interest charge.

Unpaid charges or rents and other costs and expenses, including sewer charges, shall be a lien on the house, building, lot, property or premises to which they are associated to the same extent as taxes are a lien upon real estate in the municipality, and shall be collected and enforced by the same officers and in the same manner as liens for taxes.

With the advice and consent of the Borough Administrator and the Borough Attorney, and with guidance from N.J.A.C 14:3-3A, the Chief Financial Officer will prepare and maintain a Policies and Procedures Manual Regarding Penalties, Charges, Delinquent Notices and the Discontinuance of Utility Service.

If electric service is discontinued for nonpayment of a bill, there will be a charge for restoring service of \$100 for residential properties, Service Codes SC1 and SC4,

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\$250 for commercial properties, Service Codes SC2 and SC3, and \$500 for large commercial properties, Service Code SC5.

The chief financial officer may defer the shutoff date and negotiate a partial payment plan if it is in the best interest of the Borough of Madison or federal and/or state law requires the service to continue. The partial payment plan shall not extend beyond one year and can only be written for a monthly amount over and above the current bill.

Mr. Wolkowitz moved that Ordinance 28-2017, 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. Wolkowitz, Mr. Rowe, Ms. Byrne

Nays: None

ORDINANCE 29-2017 ORDINANCE AMENDING CHAPTER 94  
ATTACHMENT 3, APPENDIX C ENTITLED “ELECTRIC UTILITY  
DEPARTMENT RULES AND REGULATIONS”

BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF MADISON IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY, as follows:

**Chapter 94 Attachment 3, Appendix C entitled “Electric Utility Department Rules and Regulations” of the “Code of the Borough of Madison” SECTION 2.13, 2.15, 2.17, 2.37, 2.46, 2.64, 2.65, 2.67, 2.81, 3.20 and 3.34 are hereby amended to read as follows:**

2.13 In the case of Commercial or Industrial customers with a connected load of 250KW or more that requires a primary line extension on private property, the Borough will furnish and install the overhead line to a 100 foot distance onto the customer’s property at the customer’s expense. Underground primary lines, will be installed, owned and maintained at the expense of the customer. Transformer installations on poles with ratings up to 300 KVA (three phase only), will be installed at the Borough’s expense. All commercial and industrial transformers on pads, in vaults, or inside buildings will be installed, owned and maintained at the owner’s expense. Transformers up to 300 KVA, that are located outside of buildings, will be supplied by the owner and become the property of the Borough of Madison upon acceptance, transformers larger than 300 KVA will be supplied by owner and remain the property of the customer. Transformer installations underground or inside of buildings, if of the submersible type, would be installed at the expense of the customer, within the ratings above stipulated.

2.15 In new residential developments, on new streets being installed in the development, the owner will install all street lights, lampposts, transformers, ducts, and cables underground. Upon completion the system will be dedicated to the Borough. Installation will meet or exceed the Borough’s Construction Specifications. If in any new development a Lot has a side yard or fronts on an accepted street and the service drop can be made from that accepted street, the Borough will install the service drop at its expense. The owner will give to the Borough executed rights of way easements, tree and shrub trimming rights and rights to install anchor guys on private property where such are needed before any service including construction service is supplied. All residential or multi-family buildings supplied from transformers on pads, in vaults, or inside buildings will be installed at the owner’s

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expense; all outdoor transformers up to 300 KVA will be supplied by the contractor and will become the property of the Borough of Madison upon acceptance of the development. Contractor must provide the Borough of Madison with a spare transformer (single phase-up to 100 KVA, 3 phase transformers up to 300 KVA) fuses, lamppost, fixture, and accurate as built drawings upon completion of project. All underground secondary ducts and cables that run from the Borough's facilities to the residence are the property and responsibility of the owners. All transformers shall be according to Borough of Madison's specifications.

2.17 For new apartment houses, condominiums, townhouses, and association housing complexes requiring pole lines on private property or on non-accepted streets, the owner will install all street lights, lampposts, transformers, ducts, and cable underground. Upon completion the system will be dedicated to the Borough to become part of its distribution system to be maintained, enlarged or extended. All transformers will be supplied by the contractor. Transformers up to 300 KVA will become the property of the Borough of Madison upon acceptance of the development, transformers larger than 300 KVA will be owned and maintained by the association. All condominiums, townhouses, and association housing will install, own and maintain all underground secondary ducts and cable originating at the transformer and connecting at the meter pan. All underground street lighting and associated duct and cable will be installed owned and maintained by the association. Contractor must provide the Borough of Madison with a spare transformer, fuses, lamppost, fixture, and accurate as built drawings upon completion of project. All transformers shall meet or exceed Borough of Madison specifications.

2.37 The normal service drop will be overhead, from a Borough line at a Borough pole, directly to a residence or place of business. The Borough will supply and install at its expense such overhead service drop for a distance of 75 feet from its mains without the installation of a pole on the property of the residence or business. If the installation of a pole is required, the Borough will install the drop to the pole, but the cost of the pole, and of the installation thereof, will be at the order and expense of the property owner, or other person requesting the installation. Any additional poles or further extensions of lines to the residence or business beyond 75 feet from the Borough mains will also be at the expense of the property owner or other person requesting the installation. Such extensions beyond the normal service drop will be dedicated to the Borough and the necessary easement, license or other form of permission given to the Borough for the purposes of maintaining such lines, and further extending the same, if required.

2.46 All meters installed are the property of the Borough of Madison, and only employees of the Electric Department are permitted to install, service, adjust, test, repair or remove them. No person, other than authorized Borough personnel, shall remove any electric meter from any location where the same has been installed, nor shall any unauthorized person attach wires to or around a meter; or interfere with its normal operation. Failure to comply with this regulation will result in a penalty being assessed of up to \$1,000.

2.64 All bills and charges in connection with electric services are due when rendered, and must be paid as set forth in Chapter 94, Attachment 2, Appendix B.

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2.65 Accounts that are not “RESTRICTED” are allowed an additional grace period for payment before the bill is considered delinquent as set forth in Chapter 94, Attachment 2, Appendix B.

2.67 When an account becomes delinquent, a notice is sent to the customer as well as the owner as set forth in the Borough’s Policies and Procedures Manual Regarding Penalties, Charges, Delinquent Notices and the Discontinuance of Utility Service as established under Chapter 94, Attachment 2, Appendix B .

2.81 Tampering: A charge not to exceed \$10,000 may be levied, and/or the Borough may discontinue the supply of electric service and remove its equipment from consumer’s premises without notice in the event evidence is found that Department’s services wires, meters, seals, switch boxes or other property or appurtenances on customer’s premises have been tampered with, with the intent to illegally divert current.

3.20 Where the customer's property can be reached by one span of wire of not more than seventy five (75) feet in length, the service drop will be installed by the Department at its expense. If the distance to the customer's structure requires a span of wire exceeding seventy five (75) feet in length, the customer or owner must provide, at his own cost, a suitable intermediate pole for the wires, which must be approved by the Electric Division. The cost of additional service drop beyond 75 feet shall be paid by the customer or owner. The owner will dedicate the additional wire, pole or poles, and anchor guys, with rights to trim trees and maintain lines, to the Borough.

3.34 The Contractor will furnish and install meter cabinets. The contractor will also install the service conduit and all conductors from the point of attachment of the service drop wires through the meter cabinet and into the structure. The Borough will furnish C.T. rated meter pans only, with cost to the customer. On all primary services, the Borough will furnish all Current Transformers and Potential Transformers. The customer will be charged for the cost of the current transformers and labor to wire the current transformers to the meter pan. Owner will supply all C.T. and P.T. cabinets at the owner’s expense.

Mr. Wolkowitz moved that Ordinance 29-2017, 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. Wolkowitz, Mr. Rowe, Ms. Byrne

Nays: None

**ORDINANCE 30-2017 ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 190 ENTITLED “WATER”**

**BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF MADISON IN THE  
COUNTY OF MORRIS AND THE STATE OF NEW JERSEY, as follows:**

**Section 1.**

Chapter 190-15 entitled “Defects in house connection” is hereby renamed “Defects in property connection, privately owned main, or service line” and amended to read as follows:

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**Defects in property connection, privately owned main, or service line.**

The owner of any premises shall be responsible for all repairs to any property connection, privately owned main, or service line, and shall be liable for all loss of water and damage resulting from any defect in a property connection, privately owned main, or service line connected to the Borough water system. The Water Superintendent and/or his/her designee has the right to enter said property and inspect said lines and connections. Except in the case of emergency, the property owner shall receive 24 hours notice before the Water Superintendent and/or designee shall have the right to enter said property. From the time any defect is discovered until the repair or replacement work is completed, the Department may shut off the water with or without notice, if necessary, and for as long as it may be deemed necessary. Leaks or damage in or to the property connection, privately owned main, or service line shall be promptly reported to the Department and repaired within 30 days unless otherwise determined by the Water Superintendent. Failure to make said repairs within such timeframe shall result in a penalty of up to \$500 per day. In addition, the Water Superintendent shall determine the amount of water lost as a result of a leak in or damage to the property connection, privately owned main, or service line using as a guide the size of the pipe and the pressure per square inch at the point of such leak and such other factors as may be applicable. The owner or consumer shall be charged for this loss at the prevailing rate for water consumed.

**Chapter 190-23 entitled “Payments; penalties for nonpayment” is hereby amended to read as follows:**

**A.** Delinquent Bills, Penalties, and Discontinuance of Service. Refer to Chapter 94, Appendix B for policies concerning delinquent bills, penalties and discontinuance of service.

**B.** If the water supply to any premises has been discontinued under the provisions of this section, the Water Department shall not turn on and restore the water supply until the owner pays in full the bill, together with the shutoff fee, charged in accordance with this section, and a turn-on fee, as provided in § 190-33 for restoration of service.

**C.** Unpaid water charges or rents and other costs and expenses thereon shall be a lien upon the house, building, lot or premises to which they relate to the same extent as taxes are a lien upon real estate in the municipality and shall be collected and enforced by the same officers and in the same manner as liens for taxes

**D.** All charges and fees are payable to the Borough of Madison Water Department by mail or in person at the office of the Department. No person is authorized to accept or give a receipt for moneys due the Department except the Borough Treasurer or Clerk of the Department or their duly assigned assistants.

**Chapter 190-25 entitled “Meter test; adjustments” of the “Code of the Borough of Madison” is hereby amended to read as follows:**

**A.** Borough-owned meters of two inches or less. The customer shall report promptly any meter thought to be defective or out of order. The Department will promptly comply with a request to test such meters. Should such test disclose that the meter is not defective or out of order, a charge as set forth in § 190-33, will be made for the test. Meters found to be defective or out of order during the course of such tests will be replaced or repaired, and the test fee will be waived. Water

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charges for the quarter in which the meter is found to be defective or out of order shall be based on the water consumed during the same quarter the previous year or on an average of the meter readings for the four quarters preceding that in which the meter was found to be defective or out of order, whichever is greater. The customer is responsible for maintaining adequate access to the meter as well as maintaining the plumbing and piping before and after the meter. If the Department is unable to adequately access the meter or if the Department is unable to replace the water meter due to the condition of the piping, then a penalty of up to \$1,500 per quarter may be assessed in addition to any water consumption charges until the condition is corrected.

**B. Meters larger than two inches**

**(1)** All meters larger than two inches shall be tested by December 1, 2016, by a qualified inspection agency at the expense of the meter owner. A written report from the agency shall be submitted to the Borough Water Utility within two weeks of said test. Thereafter, each meter larger than two inches shall be tested every three years or as requested by the Borough and a report submitted to the Borough as set forth herein. This report shall include: meter location; meter size, manufacturer, model, serial number, and month/year meter was manufactured; test date; test reading; and accuracy for high, intermediate and low flows; and certification from a qualified meter testing company. Failure to supply the test report as requested by the Borough within 60 days of request by the Borough will result in a penalty being assessed of up to \$100 per day. The Borough reserves the right to demand that the customer replace the meter with a different design or type approved by the Borough if the Borough deems the current meter is not appropriate for the current use based on accepted industry standards. Valves that permit water to bypass the meter shall be affixed with a Borough seal to ensure that said valve has not been used without permission of the Borough of Madison. Removal or tampering of the seal without the permission of the Borough shall result in a penalty of \$750 per offense.

**(2)** If any such test reveals defects, the customer shall make the repairs as requested by the Borough within sixty (60) calendar days. Failure to repair or replace the meter as requested by the Borough within 60 calendar days of request will result in a penalty of up to \$250 per day being assessed. Failure to report any repair or replacement of the water meter shall result in a penalty of up to \$750 per offense.

**C. Meter Tampering**

Tampering with the meter, removal of the meter, diverting water so as to bypass the meter, or using unmetered water without the consent of the Borough shall result in service being discontinued and/or a penalty not to exceed \$10,000 being assessed.

**Section E of Chapter 190-33 entitled “Fees for Department Services” of the “Code of the Borough of Madison” is hereby amended to read as follows:**

**E.** Temporary services are provided for in § 190-14 herein: Up to \$250 per quarter per residential unit and up to \$200 per quarter per 1,000 square feet of commercial space. Labor, excavation and material shall be provided for by the applicant. If consumption warrants it, the Chief Financial Officer may determine that the customer shall provide the Borough with a \$250 deposit for a temporary water meter which shall be installed by the Borough and read quarterly with the customer being

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billed based on the then current rates. The water meter deposit shall be promptly refunded when the undamaged temporary meter is returned to the Borough.

Section 2. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistency.

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with law.

Mr. Wolkowitz moved that Ordinance 30-2017, 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. Wolkowitz, Mr. Rowe, Ms. Byrne  
Nays: None

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

Mrs. Vitale moved adoption of the Resolutions listed on the Consent Agenda. Mr. Landrigan seconded the motion. Ms. Baillie abstained from voting on Resolution 184-2017. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

**R 167-2017 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING SALARY INCREASE TO CONFIDENTIAL EMPLOYEES EXCLUDED FROM UNION PARTICIPATION**

**WHEREAS**, the Borough Administrator has recommended approving a \$1,000.00 salary increase to seventeen confidential employees excluded from union participation to maintain parity with the union employees to recognize meritorious service; and

**WHEREAS**, the Borough Council has determined to approve a \$1,000 salary increase to the following full time non-union confidential employees, effective July 1, 2017.

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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 Borough Council ratifies and authorizes payment of a \$1,000.00 salary increase to Theresa Devecchi, Patricia Macaluso, Connie Phillips, Kristy Kiehl, Linda Sawyer, Frank Ciampi, Dawn Allgeier, Sandra Emmerich, Benjamin Keenan, John Rafter, Joseph Mittermaier, Kevin O’Keefe, Erika Cruz, Brianna Diamond, Frank Russo, Evan Webb and Vincent Zvolensky effective July 1, 2017.

R 168-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE PURCHASE OF SERVICES FROM JEN ELECTRIC, INC. OF SPRINGFIELD, NEW JERSEY UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR THE FAIRVIEW-CENTRAL FLASHER TRAFFIC SIGNAL IMPROVEMENTS

**WHEREAS**, the Borough of Madison desires to purchase services for traffic signal improvements from an authorized vendor under the Morris County Cooperative Pricing Council; and

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

**WHEREAS**, JEN Electric, Inc., of Springfield, New Jersey has been awarded Morris County Cooperative Bid Contracts; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council utilize these contracts for traffic signal improvements in the total amount not to exceed \$5,415.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in Ordinance 55-2016 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 the purchase of services for traffic signal improvement from JEN Electric, Inc., at a total price not to exceed \$5,415.00 are hereby approved under the Morris County Cooperative Pricing Council and the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract with JEN Electric, Inc. for the traffic signal improvements, at a total price not to exceed \$5,415.00, in a form acceptable to the Borough Attorney.

R 169-2017 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENTS OF INTERNS NICOLINA LENTINE AND CAROLINE KELLY TO THE SUMMER ENVIRONMENTAL INTERN POSITIONS

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**WHEREAS**, the Purchasing/Personnel Officer has recommended appointment of Nicolina Lentine and Caroline Kelly to the position of Summer Environmental Intern at the Community Gardens; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that upon receipt of satisfactory results of the background check, Nicolina Lentine and Caroline Kelly are hereby appointed to the position of Summer Environmental Interns in the Public Works Department effective immediately at the rate of pay of \$9.00 per hour with no benefits.

R 170-2017 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT FOR PURCHASE OF SAFETY EQUIPMENT AND AMMUNITION TO ATLANTIC TACTICAL UNDER STATE CONTRACT T-0106/81297 IN THE AMOUNT OF \$25,000.00

**WHEREAS**, the Borough of Madison desires to award a contract for the purchase of safety equipment and ammunition to Atlantic Tactical of Somerset, N. J., under state contract number T-0106/81297 in the aggregate amount up to \$25,000.00; and

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

**WHEREAS**, the Qualified Purchasing Agent has determined that the aggregate cost of those services will exceed \$17,500.00; and

**WHEREAS**, Atlantic Tactical has been awarded state contract T-0106/81297 for safety equipment and ammunition; and

**WHEREAS**, the Police Chief has recommended that the Borough Council utilize this contract for the purchase of safety equipment and ammunition in the aggregate amount not to exceed \$25,000.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in the Police Operating Account 7-01-25-240-424 and the Forfeiture Funds previously deposited in the Police Law Enforcement Fund.

**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 a safety equipment and ammunition is hereby awarded to Atlantic Tactical under state contract number T-0106/81297, at a total aggregate price not to exceed \$25,000.00.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute an increase to the blanket purchase order and contract to Atlantic Tactical under state contract number T-0106/81297 for the purchase of safety equipment at a total price not to exceed \$25,000.00, in a form acceptable to the Borough Attorney.

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**R 171-2017 RESOLUTION OF THE BOROUGH OF MADISON URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS**

**WHEREAS**, local municipalities require specific tools to address the rising cost of municipal government; and

**WHEREAS**, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

**WHEREAS**, salary costs, to a great extent, drive property tax increases; and

**WHEREAS**, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

**WHEREAS**, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

**WHEREAS**, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

**WHEREAS**, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

**WHEREAS**, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

**WHEREAS**, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

**WHEREAS**, the PBA, SOA, and FBMA contracts all expire on December 31, 2017; and

**WHEREAS**, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of Borough of Madison urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

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**BE IT FURTHER RESOLVED**, that a copy of this Resolution is forwarded to Assemblyman John Mckeon, Assemblywoman Mila Jasey, Senator Richard J. Codey, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey and the League of Municipalities.

R 172-2017 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO MOTT MACDONALD TO DESIGN FACILITY UPGRADES TO POTABLE WELL B IN THE AMOUNT OF \$28,000.00

**WHEREAS**, the Borough Engineer has recommended upgrades to the Potable Water Well B including replacing electrical, mechanical and water distribution components; 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 Qualified Purchasing Agent has determined and certified in writing that the cost of those services will exceed \$17,500.00; and

**WHEREAS**, the Borough Administrator has recommended that the Borough Council award the Contract to Mott MacDonald in an amount not to exceed \$28,000.00, for design services to the upgrades at Potable Well B; and

**WHEREAS**, Mott MacDonald, 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**, Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Mott MacDonald has not made any reportable contributions to a political or candidate committee in the Borough of Madison in the previous one year, and that the contract will prohibit Mott MacDonald from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$28,000.00 for this purpose, which funds will be available upon final adoption of Ordinance 35-2016.

**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 for professional services with Mott MacDonald for design services for the upgrades to Potable Well Bin an amount not to exceed \$28,000.00, such contract to be in a form approved by the Borough Attorney.

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

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

**R 173-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE PURCHASE OF SERVICES FROM JEN ELECTRIC, INC. OF SPRINGFIELD, NEW JERSEY UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR THE PARK-RIDGEDALE TRAFFIC SIGNAL IMPROVEMENTS**

**WHEREAS**, the Borough of Madison desires to purchase services for traffic signal improvements at the Park-Ridgedale Avenues intersection from an authorized vendor under the Morris County Cooperative Pricing Council; and

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

**WHEREAS**, JEN Electric, Inc., of Springfield, New Jersey has been awarded Morris County Cooperative Bid Contracts; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council utilize these contracts for traffic signal improvements in the total amount not to exceed \$14,990.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in Ordinance 55-2016 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 the purchase of services for traffic signal improvement from JEN Electric, Inc., at a total price not to exceed \$14,990.00 are hereby approved under the Morris County Cooperative Pricing Council and the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract with JEN Electric, Inc. for the traffic signal improvements, at a total price not to exceed \$14,990.00, in a form acceptable to the Borough Attorney.

**R 174-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF POLICE VEHICLE FROM BEYER FORD OF MORRISTOWN, NEW JERSEY**

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**WHEREAS**, the Borough of Madison desires to purchase a vehicle for the Police Department from an authorized vendor under Cranford Police Cooperative Pricing Council (CPCPS) Contract #47-CPCPS, Item #2; and

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

**WHEREAS**, Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey has been awarded Cranford Police Cooperative Pricing Council #47-CPCPS, Item #2; and

**WHEREAS**, the Chief of Police has recommended that the Borough Council utilize this contract for a police vehicle, and accessory equipment in the amount of \$31,725.00; and

**WHEREAS**, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$31,725.00 for this purpose in the Police Operating account, 7-01-26-240-311.

**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 a police vehicle and accessory equipment from Beyer Ford, at a total price not to exceed \$31,725.00 is hereby approved under the Cranford Police Cooperative Pricing Council (CPCPS) Contract #47-CPCPS, Item #2.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Beyer Ford for the purchase of a police vehicle and accessory equipment at a total price not to exceed \$31,725.00, in a form acceptable to the Borough Attorney.

**R 175-2017 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN ELIZABETH MIKULEWICZ AS AN INTERN IN THE FINANCE DEPARTMENT**

**WHEREAS**, the Assistant Borough Administrator/CFO has recommended the appointment of Ms. Elizabeth Mikulewicz, as a part-time Intern in the Finance 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 the appointment of Ms. Elizabeth Mikulewicz, as a part-time Intern in the Finance Department, is hereby approved. The compensation shall be \$9.00 per/hr with no benefits.

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R 176-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE PURCHASE OF SERVICES FROM JEN ELECTRIC, INC. OF SPRINGFIELD, NEW JERSEY UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR THE WOODLAND ROAD-GREEN AVENUE TRAFFIC SIGNAL IMPROVEMENTS

**WHEREAS**, the Borough of Madison desires to purchase services for traffic signal improvements at the Woodland Road-Green Avenue intersection from an authorized vendor under the Morris County Cooperative Pricing Council; and

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

**WHEREAS**, JEN Electric, Inc., of Springfield, New Jersey has been awarded Morris County Cooperative Bid Contracts; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council utilize these contracts for traffic signal improvements in the total amount not to exceed \$10,790.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in Ordinance 55-2016 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 the purchase of services for traffic signal improvement at Woodland-Green from JEN Electric, Inc., at a total price not to exceed \$10,790.00 are hereby approved under the Morris County Cooperative Pricing Council and the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract with JEN Electric, Inc. for the traffic signal improvements, at a total price not to exceed \$10,790.00, in a form acceptable to the Borough Attorney.

R 177-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A SETTLEMENT AND RELEASE FOR A POLICE DISCIPLINARY MATTER

**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 Council hereby authorizes execution of the attached agreement to resolve a PBA personnel disciplinary issue.

R 178-2017 RESOLUTION OF THE BOROUGH OF MADISON RENEWING LIQUOR LICENSES IN THE BOROUGH OF MADISON FOR THE 2017-2018 LICENSE TERM

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**BE IT RESOLVED** by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following applications for renewal of Liquor Licenses for the 2017 - 2018 license term be, and hereby are, approved:

**CLUB LICENSES - FEE: \$180.00; July 1, 2017 through June 30, 2018**

License #1417-31-020-001  
Madison Lodge BPO Elks #1465  
192 Main Street  
Madison, NJ 07940

License # 1417-31-019-002  
Center Pub Assoc Of Drew University  
36 Madison Avenue  
Madison, NJ 07940

License #1417-31-022-001  
North Star Athletic Club  
95 North Street  
Madison, NJ 07940

**CONSUMPTION LICENSES – FEE \$2,386.00; July 1, 2017 through June 30, 2018**

License #1417-33-005-003  
The Cambridge Shanghai Company LLC  
Shanghai Jazz Restaurant and Bar  
24 Main Street  
Madison, NJ 07940

License #1417-33-010-005  
L'Allegria Restaurant Corp  
9-11 Prospect Street  
Madison, NJ 07940

License #1417-33-011-009  
NJ Entertainment, LLC  
t/a Plaza Lanes  
53 Madison Plaza  
Madison, NJ 07940

License Number 1417-33-017-007  
Salgino Pub Inc.  
Rocco's Restaurant  
30 Cook Plaza  
Madison, NJ 07940

**DISTRIBUTION LICENSES - FEE: \$1,798.00; July 1, 2017 through June 30, 2018**

License # 1417-44-007-003  
VNB Wine and Spirit  
Rose City Liquors  
84 Main Street  
Madison, NJ 07940

License #1417-44-013-010  
JELMA INC.  
Gary's Wine & Marketplace  
121 Main Street  
Madison, NJ 07940

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**R 179-2017 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TEMPORARY SIGNS FOR THE MADISON SOCCER CLUB**

**WHEREAS**, the Madison Soccer Club has requested permission to put up temporary signs advertising summer camp registration, at the Madison Recreation Center; and

**WHEREAS**, up to ten (10) signs would be posted commencing on June 12, 2017 and removed by July 15, 2017; and

**WHEREAS**, the Borough Administrator has recommended that temporary sign regulations be waived to permit said activity.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the request of the Madison Soccer Club to put up temporary signs as described herein from June 12, 2017 to July 15, 2017, is approved.

**R 180-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CHANGE ORDER AND FINAL PAYMENT TO ENTERPRISE NETWORK RESOLUTIONS CONTRACTING, LLC FOR THE HARTLEY DODGE MEMORIAL UNDERGROUND STORAGE TANK REMEDIATION PROJECT**

**WHEREAS**, the Borough Engineer has advised the Council that changes in unit quantities were encountered during remediation of the underground storage tank at the Hartley Dodge Memorial; and

**WHEREAS**, the Borough Engineer has recommended that based on said change order, a final payment to Enterprise Network Resolutions Contracting, LLC be made in the amount of \$165,120.00, which results in no additional appropriation being needed; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in Ordinance 64-2016; and

**WHEREAS**, the Council wishes to approve said change order and payment.

**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 change order and final payment in the amount of \$165,120.00 to Enterprise Network Resolutions Contracting, LLC is approved.

**R 181-2017 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING MEMBERSHIP OF MATHEW WEXLER IN THE MADISON HOSE COMPANY #1**

**WHEREAS**, the Fire Chief has advised that Mathew Wexler was voted into the Madison Hose Company #1 as a volunteer firefighter; and

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**WHEREAS**, Section 18-27 of the Madison Borough Code requires that each person so voted shall be confirmed as a member of such division by the Council of the Borough of Madison.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Mathew Wexler is hereby confirmed as a member of the Madison Hose Company #1 effective immediately.

**R 182-2017 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2017**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Madison will receive \$3,104.75 from the Governor's Council on Alcoholism and Drug Abuse grant and wishes to amend its 2017 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$3,104.75, which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations; and

**BE IT FURTHER RESOLVED** that the like sum of \$3,104.75 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 3.5% Caps

State and Federal programs Off-set by Revenues:

Governor's Council on Alcoholism and Drug Abuse Grant –

Other Expenses \$3,104.75

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

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**R 183-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXECUTE EEI LONG FORM CONFIRMATIONS**

**WHEREAS**, PJM provided 'excess credits' back to Load Serving Entities including the Borough of Madison based on a ratio share of the market over purchase of electricity capacity; and

**WHEREAS**, the Chief Financial Officer has advised the Council that selling the excess electric utility capacity credits is in the best interest of the Borough; and

**WHEREAS**, Resolution 24-2017 authorizes the Chief Financial Officer to enter into transactions with various counter-parties under approved Master Power Purchase and Sale Agreements via an RFP process, and

**WHEREAS**, in order to increase competitive bidding and obtain the best possible sale price, the Chief Financial Officer has recommended to the Council that other entities approved by the Borough's Electric Utility Attorney be permitted to purchase the excess credits from the Borough using an Edison Electric Institute (EEI) Long Form Confirmation approved by the Borough's Electric Utility Attorney; and

**WHEREAS**, the Borough Council has determined to authorize the Chief Financial Officer to execute an EEI Long Form Confirmation as needed for the benefit of the Borough.

**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 Chief Financial Officer is authorized to execute an EEI Long Form confirmation for the sale of excess electric utility capacity credits with counter-parties approved by, and in a form authorized by, the Borough's Electric Utility Attorney.

**R 184-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING MEMBERSHIP IN THE 2017-2018 EMPLOYEE WELLNESS PROGRAM THROUGH THE MADISON YMCA**

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

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

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

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account 229, subaccount 528 for this purpose. This agreement is contingent upon adequate funding therefore in the 2018 Municipal Budget.

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

**UNFINISHED BUSINESS - None**

**APPROVAL OF VOUCHERS**

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

Current Fund	\$3,707,245.06
General Capital Fund	358,165.57
Electric Operating Fund	611,160.31
Electric Capital Fund	0.00
Water Operating Fund	8,149.18
Water Capital Fund	0.00
Trusts	<u>32,441.74</u>
Total	<u>\$4,717,161.86</u>

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

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

Nays: None

**NEW BUSINESS**

Mayor Conley announced the following appointment and requested Council confirmation:

Community Garden Advisory Committee

**Paul Schmitt**; 104 Greene Avenue –unexpired term through December 31, 2018

**Maureen Hoeflin**; 11 Cedar Street –unexpired term through December 31, 2017

Mrs. Vitale moved confirmation of the foregoing appointments. 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. Wolkowitz, Mr. Rowe, Ms. Byrne

Nays: None

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***ADJOURN***

There being no further business to come before the Council, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved June 26, 2017 (EO)