

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

**July 23, 2018 - 7:30 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 23<sup>rd</sup> day of July, 2018. Mayor Conley called the meeting to order at 7:30 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

**STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 11, 2018. This Notice was made available to members of the general public.”

**ROLL CALL**

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale

Astri J. Baillie

Benjamin Wolkowitz

Patrick W. Rowe

John F. Hoover

Absent: Maureen Byrne, 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. Rowe moved:

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

MINUTES FOR APPROVAL (1)

July 9, 2018

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

PERSONNEL MATTERS (1)

SPECIAL LAW ENFORCEMENT OFFICER II

**Regular Meeting Minutes – July 23, 2018**

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

LITIGATION MATTERS (1)  
AFFORDABLE HOUSING

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

Seconded: Mrs. Vitale  
Vote: Approved by voice vote

**RECONVENE IN COUNCIL CHAMBER**

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

**APPROVAL OF MINUTES**

Mr. Rowe moved approval of the **Executive Minutes of July 9, 2018**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

Mr. Rowe moved approval of the **Regular Meeting Minutes of July 9, 2018**. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

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

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

**RECOGNITION OF CHAMPIONSHIP BY MADISON HIGH SCHOOL VARSITY BASEBALL TEAM:**

Mayor Conley presented Certificates of Achievement to members of the Madison High School Varsity Baseball Team.

**REPORTS OF COMMITTEES**

**Health**

Mr. Rowe, Chair of the Committee, made the following comments:  
The Health Department has given final approval for the opening of another new retail food establishment in the Borough. MAASA will be scheduling a free yoga program at the community pool on four Tuesdays from 2:30 - 3:00 p.m. Please email Lindsay Prewitt at [prewittl@rosenet.org](mailto:prewittl@rosenet.org) for more information. Madison Walks will continue on Thursdays beginning at the community pool and ending at the Farmer's Market. The Madison Health Department along with Tri-town coalition and Shop Rite of Chatham are in the planning stages of a concussion awareness program for High School seniors and Senior Citizens. The idea is to have the students go through the program and then share information with the Senior Citizens with the possibility of earning service hours. The Health Department's Nursing Supervisor will conduct immunization audit workshops with school nurses

## **Regular Meeting Minutes – July 23, 2018**

and preschool directors during the month of August in preparation for the upcoming school year.

### **Public Works and Engineering**

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

For the Engineering department, Mrs. Vitale reports that PSE&G continues installation of gas lines along Greenwood Avenue. An update on road reconstruction projects will be presented at the August 14<sup>th</sup> Council meeting. The Public Works Department continues repairs to borough vehicles, filed maintenance and watering baskets in the downtown area. Crews continue pick up of recycling, white good and delivering mulch, created from debris from spring storm.

### **Finance and Borough Clerk**

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

Ms. Baillie reported that the Second Quarter Internet Report of Contributions (IROC) report was recently submitted to the State of New Jersey. Each quarter the Payroll Department reviews and submits contributions made to the New Jersey Division of Pensions and Benefits. The Tax Collector reports that due to additional State funding received by the Madison Public Schools, the third quarter Tax bills have been delayed. The Board of Education will be meeting tomorrow evening regarding the additional aid. The Board of Education can either increase their budget or reduce the tax levy, which would result in tax relief for the residents. The State and County will then certify the levies and forward the final the tax rate. Tax bills will be sent out as soon as possible after certification. The deadline for tax payments has been extended accordingly. Property owners that will be away during the month of August are encouraged to contact the Tax Collector.

### **Public Safety**

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

The Madison Police Department body camera project has been implemented with the installation of equipment to facilitate camera use. Madison Patrol Officers will begin wearing body cameras within the next few weeks. The Madison Police Department was awarded a \$15,000 grant by the New Jersey State Attorney General's Office to offset the cost of purchasing the cameras. The Attorney General's office notes that of the 500 police agencies in New Jersey nearly 50% are now using body cameras. The Fire Department reports recertification of self contained breathing apparatus. The bi-annual 'Touch a Truck' event will be held this Saturday, July 28th, to benefit the Madison Public Library. Anyone interested in Volunteering with the Madison Fire Department is encouraged to contact Fire Chief Louis DeRosa.

### **Community Affairs**

Ms. Byrne, Chair of the Committee, absent.

### **Utilities**

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

Reporting community affairs, Mr. Hoover noted that the Community Garden group participated in the Morris County Open Garden Program. The Museum of Early Trades & Crafts continues restoration work and construction of a Welcome Center. The Rotary Club sponsored a corn hole tournament at St. Vincent's, to end hunger. The Recreation Department reports a successful spring and summer season, and hopes to collect over \$40,000 in fees for use of the fields, by year end. The Madison Volunteer Ambulance Corp will provide CPR/AED training to all coaches in August and September. The Downtown Development Commission is working on a new

## **Regular Meeting Minutes – July 23, 2018**

issue of the Madison Magazine, currently in the content creation phase. Eighteen paintings have been displayed on banners in the downtown area and the Farmer's Market continues each Thursday. The Downtown Concert Series continues this Friday on Green Village Road. Bottle Hill Day will be held Saturday, October 6<sup>th</sup>. The Water Department reports installation of three water meters and repair of a leak at Beverly and Woodland Roads. The Electric Department completed repairs at Albright Circle and Loantanka Way. JCP&L reported that a branch interrupted feeder line service temporarily on July 9<sup>th</sup> and a squirrel was responsible for a short outage on Rosedale Avenue.

### **COMMUNICATIONS AND PETITIONS**

The Borough Clerk announced receipt of the following communications:

Petition with signatures received July 20, 2018, from former Mayor Ellwood (Woody) R. Kerkeslager of Prospect Street and Sandy Kosakowski of Park Avenue, urging Council to save the movie theater.

### **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**

#### **07/23/2018-1 OPEN SPACE FUNDING – TRAIL GRANT APPLICATION, BASEBALL FIELDS**

Ms. Baillie noted that the Open Space Committee met last week and recommends two applications for Council approval. The first request is for funding of \$25,000.00 from the Open Space Trust Fund towards the match requirement for construction of fully handicap accessible trails at the Madison Recreation Complex (MRC). The Borough will be formally applying to the Morris County Trails Trust Fund for a grant for the trail. The second request is for \$32,000.00 for improvements and related work to Borough baseball fields.

Ordinances 43-2018 and 44-2018 are listed for Introduction.  
Resolution 219-2018 is listed on the Consent Agenda.

#### **07/23/2018-2 KINGS ROAD DEVELOPMENT UPDATE**

Mr. Burnet provided information on the Green Village Road School property development noting the financial agreement and progress on the community space. Mr. Burnet explained that the Borough entered into an agreement with the redeveloper that defines the taxes and fees to be paid. Under the law, these payments are known as "PILOT Agreements". A PILOT Agreement enables the Borough to retain a larger percentage of every tax dollar. In Madison, the Borough retains 22.5 cents of every tax dollar. With the PILOT Agreement, the Borough will retain 62.5 cents of every tax dollar and the Board of Education (BOE) would get 32.5 cents. Mr. Burnet also noted other financial benefits. Lisa Ellis, Director of Business Development, provided information regarding the community space noting the 3,000 sq. ft. facility on the ground floor of Building 'A' fronting on Kings Road.

**Regular Meeting Minutes – July 23, 2018**

The Borough has a thirty (30) year lease for \$1.00 a year. The facility has restrooms, dressing rooms, a ticket booth area and a large performance space. The space opens out to a large patio area with an outdoor stage. Construction of the space should be completed soon.

**07/23/2018-3 ELECTRIC SCOOTER PILOT PROGRAM**

Mr. Joseph Colangelo, Chief Executive Officer of BoxCar Transportation, provided information on a proposed electric scooter pilot program, explaining that fifteen Madison residents will be selected to receive an electric scooter to travel to and from the train station. Mr. Colangelo noted that there is no cost to the Borough for the pilot program. All participants will have to attend a safety training class and are required to wear safety helmets.

**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 July 9, 2018, 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 42-2018  
ORDINANCE OF THE BOROUGH OF MADISON AMENDING  
CHAPTER 45 OF THE MADISON BOROUGH CODE ENTITLED  
“SHADE TREE MANAGEMENT BOARD” TO CLARIFY AND  
PROVIDE NECESSARY AMENDMENTS TO PROTECT BOROUGH  
TREES ON CONSTRUCTION SITES**

**WHEREAS**, the Borough Administrator has recommended that the Borough amend Chapter 45, Section 8H of the Madison Borough Code entitled “Permission for Certain Actions” to clarify, update and amend same to protect Borough trees on active construction sites; and

**WHEREAS**, the Shade Tree Management Board (STMB) and Zoning Officer have recommended to the Mayor and Council that such further amendments be considered as now proposed herein.

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

SECTION 1: Chapter 45-8H of the Borough Code currently entitled “Permission for Certain Actions” is hereby supplemented as follows:

**§ 45-8H Permission for Certain Actions**

- H. No person shall operate, place or maintain, within the drip line of any Borough tree, any machinery, equipment, heavy object, stone, rocks, cement, earth, soil or other substance which may harmfully affect such Borough trees by unduly compressing the earth or otherwise impeding or preventing the access of water or air to the roots of such tree or excavate around to remove

**Regular Meeting Minutes – July 23, 2018**

earth or soil from or cause any water to flow upon the roots of any tree. The Borough Engineer may waive, in whole or in part, such provisions, but only to the extent absolutely necessary to alleviate undue hardship in the appropriate use and enjoyment of property.

New Section: “The Shade Tree Management Board” shall have the primary jurisdiction and responsibility to identify any violations hereunder and to refer those locations in writing to the Borough Zoning Officer for enforcement action pursuant to Section 45-15 (Violations and Penalties).

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

Mayor Conley opened up the public hearing on Ordinance 42-2018. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 42-2018, which was read by title, be finally adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Ms. Byrne

Mayor Conley declared Ordinance 42-2018 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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

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

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

***Patrick Lang; Valley Road***, urged Council to appropriate additional funds for repair of ball fields, noting safety concerns. Mr. Lang provided photos of the fields.

***Jesse Esposito; Community Place***, asked for an update on the subdivision of Community Place.

***Sandy Kolokowski; Park Avenue***, provided additional signatures on a petition asking that the Mayor and Council intervene on the redevelopment of the movie theater property. Ms. Kolokowski noted that acquiring the theater is a great opportunity for the community.

***Ellwood Kerkeslager; Prospect Place***, asked the Mayor and Council to take action on the purchase and restoration of the movie theatre, noting no plan filed by the current owner.

***Robert Kraut; Sherwood Avenue***, noted the current condition of the movie theatre property and stated that there is no long anywhere to go sledding in town, with the redevelopment of the Green Village Road School property.

**Regular Meeting Minutes – July 23, 2018**

**Dave Luber; Lawrence Road**, stated that he would like to see the movie theatre property restored by does not suggest using tax payer dollars.

**Debbie Fennley; Convent Station**, was moved by other public comments and noted that the arts are crucial activities for children.

**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 August 13, 2018 in the 2<sup>nd</sup> Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 43-2018    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$32,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST  
FUND FOR IMPROVEMENTS AT BOROUGH BASEBALL FIELDS

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to make improvements and related work to Borough baseball fields; and

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

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$32,000.00 from the Open Space Trust Fund for improvements and related work to Borough baseball fields; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$32,000.00 for this purpose in the Open Space Trust Fund; and

**WHEREAS**, Madison Little League will contribute 20% (\$8,000.00) towards the projects overall budget of \$40,000.00

**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 \$32,000.00 is hereby appropriated from the Open Space Trust Fund for improvements and related work to Borough baseball fields.

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

**Regular Meeting Minutes – July 23, 2018**

Ms. Baillie moved that Ordinance 43-2018, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Ms. Byrne

ORDINANCE 44-2018 ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$25,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST  
FUND AS MATCHING FUNDS FOR AN ACCESSIBLE TRAIL AT THE MADISON  
RECREATION COMPLEX

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to develop a fully handicap accessible trail at the Madison Recreation Complex (MRC); and

WHEREAS, the Borough of Madison will be formally applying to the Morris County Trails Trust Fund for a grant to develop an accessible trail at the MRC, and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$25,000.00 from the Open Space Trust Fund towards the match requirement for the construction of a fully handicap accessible trail at the Madison Recreation Complex (MRC); and

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

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$25,000.00 for this purpose in the 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 \$25,000.00 is hereby appropriated from the Open Space Trust Fund towards the cost of construction of a fully handicap accessible trail at the Madison Recreation Complex (MRC).

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

Ms. Baillie moved that Ordinance 44-2018, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Ms. Byrne

**Regular Meeting Minutes – July 23, 2018**

**CONSENT AGENDA RESOLUTIONS**

The Clerk made the following statement:

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

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

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

Nays: None

Absent: Ms. Byrne

R 215-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING THOMAS G. DOWNS TO THE POSITION OF CLASS II SPECIAL POLICE OFFICER IN THE MADISON POLICE DEPARTMENT

**WHEREAS**, Article 34-1(f) of the Borough Code provides for the appointment of up to two Class II Special Police Officers; and

**WHEREAS**, the Madison Board of Education has offered to fully fund a second School Resource Officer for the 2018-2019 school year; and

**WHEREAS**, the Borough Council, after due consideration, has determined to appoint Thomas G. Downs to the position of Class II Special Police Officer in the Madison Police Department, effective July 24, 2018, contingent upon receipt of full funding from the Madison Board of Education; and

**WHEREAS**, this appointment is expressly contingent upon the execution of a Shared Service Agreement with the Madison Board of Education (BOE) which provides that the BOE shall fully fund all personnel costs related to said appointment; and

**WHEREAS**, this Resolution and said appointment shall lapse upon the termination of the BOE full funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Thomas G. Downs is hereby appointed to the position of Class II Special Police Officer in the Madison Police Department, effective July 24, 2018, to be compensated at the rate of \$30.00 per hour, fully funded by the Madison Board of Education, with no health benefits provided by the Borough.

***Regular Meeting Minutes – July 23, 2018***

R 216-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING 34th ANNUAL GIRALDA FARMS RUN ON SUNDAY, NOVEMBER 11, 2018

**WHEREAS**, the Rose City Runners Club has requested permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run; and

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

**WHEREAS**, the Rose City Runners Club has agreed to reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race; and

**WHEREAS**, the Borough Council has reviewed said request and determined that it should be granted.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Rose City Runners Club is hereby granted permission to use portions of Loantaka Way, Woodland Road, Treadwell Avenue, Dodge Drive and Madison Avenue in connection with the annual Giralda Farms Run to be conducted on Sunday, November 11, 2018, between the hours of 6:00 a.m. and 3:00 p.m. subject to the condition that the Rose City Runners Club provide the Borough Clerk with the required Certificate of Insurance before the date of the race and reimburse the Madison Police Department for all expenses incurred in connection with the monitoring of said race.

R 217-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF FIRE DEPARTMENT VEHICLE FROM BEYER FORD OF MORRISTOWN, NEW JERSEY

**WHEREAS**, the Borough of Madison desires to purchase a vehicle for the FIRE 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 Fire Chief has recommended that the Borough Council utilize this contract for a vehicle and accessory equipment in the amount of \$32,013.00; and

***Regular Meeting Minutes – July 23, 2018***

**WHEREAS**, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$32,013.00 for this purpose in Ordinance 30-2018.

**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 vehicle and accessory equipment from Beyer Ford, at a total price not to exceed \$32,013.00 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 vehicle and accessory equipment for the Fire Department at a total price not to exceed \$32,013.00, in a form acceptable to the Borough Attorney.

R 218-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING FINAL PAYMENT AND CHANGE ORDER REQUEST FROM JO-MED CONTRACTING CORP. IN THE AMOUNT OF \$135,317.21 BRINGING TOTAL PAYMENT TO \$995,192.21 FOR THE CENTRAL AVENUE WATER MAIN REPLACEMENT PROJECT

**WHEREAS**, a contract for the 2018 Central Avenue Water Main Replacement project, in an amount not to exceed \$859,875.00 was awarded to Jo-Med Contracting, Corp., of Elizabeth, New Jersey, by Resolution 227-2017; and

**WHEREAS**, the Assistant Borough Engineer has recommended approval of a change order to the contract for changes that were encountered during the water main replacement, bringing the contract total to \$958,257.89; and

**WHEREAS**, the Assistant Borough Engineer has advised the project has been completed and has recommended approval of final payment including the change order and release of retainage to Jo-Med Contracting, Corp., of Elizabeth, New Jersey in an amount not to exceed \$135,317.21; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount sufficient for this purpose, which funds were appropriated by Ordinances 38-2017 and 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 that the final payment, retainage release and change order request from Jo-Med Contracting, Corp., of Elizabeth, New Jersey, in the total amount not to exceed \$135,317.21 for the 2018

***Regular Meeting Minutes – July 23, 2018***

Central Avenue Water Main Replacement project is authorized.

**R 219-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A MORRIS COUNTY TRAIL CONSTRUCTION GRANT APPLICATION FOR THE MRC ACCESSIBLE TRAIL**

**WHEREAS**, the Morris County Board of Chosen Freeholders authorized the creation of the Trail Construction Grant Program (hereinafter “Program”) to provide funding to any of its 39 municipalities for recreational trail construction projects; and

**WHEREAS**, the Program is funded through the Morris County Open Space, Recreation, Farmland and Historic Preservation Trust Fund and requires a 20% match from applicants through a financial contribution or in-kind services; and

**WHEREAS**, the Borough of Madison is submitting a grant to the Morris County Trail Construction Grant Program in the amount of \$25,000.00 for a project entitled Madison Recreation Complex (MRC) Accessible Trail (South).

**NOW THEREFORE BE IT RESOLVED**, that governing body of the Borough of Madison does hereby authorize the preparation and submission of a Morris County Trail Construction Grant Application.

**BE IT FURTHER RESOLVED**, that the governing body of the Borough of Madison authorizes the expenditure of the required 20% match for this grant through Open Space funds and Borough operating funds.

**BE IT FURTHER RESOLVED**, that the Mayor and governing body of Borough of Madison acknowledge the grant program will operate on a reimbursement basis only and agree to provide full advance funding to complete the proposed project.

**R 220-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO JOE CARUSO LANDSCAPING FOR THE SUMMERHILL PARK TRAILS PROJECT IN THE AMOUNT OF \$34,400.00**

**WHEREAS**, the Borough of Madison received quotes for the Trails project at Summerhill Park (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the contract to Joe Caruso Landscaping, LLC in the amount of \$34,400.00; and

**Regular Meeting Minutes – July 23, 2018**

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$34,400.00 for this purpose which funds were appropriated by Ordinance 4-2018.

**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 contract for Trails project at Summerhill Park is hereby awarded to Joe Caruso Landscaping, LLC based upon its proposal in the amount of \$34,400.00, contingent upon proof of business registration and statutory requirements.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Joe Caruso Landscaping, LLC in a form acceptable to the Borough Attorney.

R 221-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO TOREY J. SABATINI SCHOOL

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

PTO TOREY J. SABATINI SCHOOL  
I.D. No. 274-5-33160  
R.A. No. 1449–Off Premise 50/50  
September 14, 2018

R 222-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF A PUBLIC WORKS DEPARTMENT VEHICLE UNDER NEW JERSEY STATE CONTRACT NUMBER T2102/88214

**WHEREAS**, the Borough of Madison desires to award a contract for the purchase of a Public Works Department vehicle under the New Jersey State Contract program; and

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

**WHEREAS**, Beyer Ford, 31 Williams Parkway, 175 Route 10, East Hanover, New Jersey, 07936 has been awarded New Jersey State Contract number T2102/88214; and

**WHEREAS**, the Director of the Public Works has recommended that the Borough Council utilize this contract for purchase of a Public Works Department

**Regular Meeting Minutes – July 23, 2018**

vehicle as follows; under contract T2102/88214, one pickup truck and accessories in the amount of \$33,929.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$33,929.00 for this purpose, which funds were appropriated by Ordinance 41-2018.

**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 Public Works Department vehicle and accessories, for \$33,929.00 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 Beyer Ford, 31 Williams Parkway, East Hanover, New Jersey, 07936, for the purchase of a Public Works Department vehicle and accessories at a total price not to exceed \$33,929.00, in a form acceptable to the Borough Attorney.

**R 223-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF A PUBLIC WORKS DEPARTMENT VEHICLE UNDER NEW JERSEY STATE CONTRACT NUMBER T2102/88214**

**WHEREAS**, the Borough of Madison desires to award a contract for the purchase of a Public Works Department vehicle under the New Jersey State Contract program; and

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

**WHEREAS**, Beyer Ford, 31 Williams Parkway, 175 Route 10, East Hanover, New Jersey, 07936 has been awarded New Jersey State Contract number T2102/88214; and

**WHEREAS**, the Director of the Public Works has recommended that the Borough Council utilize this contract for purchase of a Public Works Department vehicle as follows; under contract T2102/88214, one pickup truck and accessories in the amount of \$33,344.00; and

**WHEREAS**, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$33,344.00 for this purpose, which funds were appropriated by Ordinance 41-2018.

**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:

**Regular Meeting Minutes – July 23, 2018**

1. A contract for the purchase of a Public Works Department vehicle and accessories, for \$33,344.00 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 Beyer Ford, 31 Williams Parkway, East Hanover, New Jersey, 07936, for the purchase of a Public Works Department vehicle and accessories at a total price not to exceed \$33,344.00, in a form acceptable to the Borough Attorney.

R 224-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO PERFORMANCE TRAILERS, INC. OF FLANDERS, NJ IN THE AMOUNT OF \$9,260.00

**WHEREAS**, the Director of Public Works has recommend awarding a contract to Performance Trailer, Inc. of Flanders, NJ for the purchase of a trailer and accessories for the Department of Public Works in the amount of \$9,260.00; and

**WHEREAS**, the Chief financial Officer has attested that funds are available in an amount not to exceed \$9,260.00 for this purpose which funds were appropriated by Ordinance 41-2018.

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

1. A contract is hereby awarded to Performance Trailer, Inc. of Flanders, NJ for the purchase of a trailer and accessories in the amount of \$9,260.00.

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

R 225-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO PERFORMANCE TRAILERS, INC. OF FLANDERS, NJ IN THE AMOUNT OF \$7,745.00

**WHEREAS**, the Director of Public Works has recommend awarding a contract to Performance Trailer, Inc. of Flanders, NJ for the purchase of a trailer and accessories for the Department of Public Works in the amount of \$7,745.00; and

**WHEREAS**, the Chief financial Officer has attested that funds are available in an amount not to exceed \$7,745.00 for this purpose which funds were appropriated by Ordinance 41-2018.

**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:

**Regular Meeting Minutes – July 23, 2018**

3. A contract is hereby awarded to Performance Trailer, Inc. of Flanders, NJ for the purchase of a trailer and accessories in the amount of \$7,745.00.

4. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into a contract with Performance Trailer, Inc. of Flanders, NJ in a form acceptable to the Borough Attorney.

**UNFINISHED BUSINESS** - None

**APPROVAL OF VOUCHERS**

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

Current Fund	\$3,772,954.83
General Capital Fund	283,408.96
Electric Operating Fund	1,008,954.57
Electric Capital Fund	7,899.00
Water Operating Fund	79,593.23
Water Capital Fund	0.00
Trusts	<u>51,292.26</u>
Total	<u>\$5,204,102.85</u>

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

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

Nays: None

Absent: Ms. Byrne

**NEW BUSINESS** - None

**ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved August 13, 2018 (EO)