

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

August 8, 2022 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 8th day of August, 2022. Mayor Conley called the meeting to order at 7:00 p.m., in the Council Chamber 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 6, 2022. 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:

Maureen Byrne
John F. Hoover
Debra J. Coen
Rachael Ehrlich
Robert Landrigan
Eric Range

Also Present:

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

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Landrigan moved:

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

MINUTES FOR APPROVAL (1)

July 25, 2022

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

PERSONNEL MATTERS (1)

HEALTH OFFICER

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

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CONTRACT MATTERS (1)

MADISON PUBLIC LIBRARY ROOF RESTORATION

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

POTENTIAL LITIGATION MATTERS (1)

ZONING MATTERS

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

LITIGATION MATTERS (1)

DREW UNIVERSITY

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

Seconded: Ms. Byrne

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.

Mayor Conley asked for a moment of silence for the passing of the following Madison residents:

Patricia C. Wickens

William F. Applegate

Richard T. McCorry, father of firefighter Lucas McCorry

APPROVAL OF MINUTES

Mr. Range moved approval of the **Executive Minutes of July 25, 2022**. Mr. Hoover seconded the motion, which passed with a unanimous voice call vote recorded.

Ms. Coen moved approval of the **Regular Meeting Minutes of July 25, 2022**. Ms. Ehrlich seconded the motion, which passed with a unanimous voice call vote recorded.

GREETINGS TO PUBLIC

The Mayor presented the annual Mayor's Award to Anne Berger:

Mayor Conley called forward Mrs. Berger and her family. On June 3, 2022, while driving into town, Mrs. Berger notices a pedestrian in distress, she began CPR to resuscitate the gentlemen in cardiac arrest, Madison Police Officers responded, the patient was taken to Morristown Memorial Hospital, and has recovered, thanks to Mrs. Berger quick response.

REPORTS OF COMMITTEES

Utilities

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

Voluntary lawn watering restrictions are in effect. Homes with even number addresses may water on the even days of the month and odd number addresses may water on the odd days. Watering is restricted to the evening and early morning hours of 8:00 pm to 8:00 am. Watering during sun light hours wastes 50% of the water to evaporation. Six hundred and twenty three fire hydrants are being painted this summer and will be tested and flushed in the fall. The hydrants are color coded

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for Fire Department use, according to AWWA standards. Green hydrants have a flow of 1000 to 1500 GPM (gallons per minute), Yellow hydrants flow at 500 to 1000 GPM, and Red hydrants have a flow of 500 GPM and lower. The water system suffered two major water main breaks and one minor break last week due to an internal water hammer. The Water Department responded to each break, isolated the broken pipe, made the necessary repairs, and returned the water system to normal operating conditions. Anyone interested in the installation of a radio readable water meter, please call the department to make an appointment.

Public Safety

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

On August 3, 2022, the Madison Police Department sponsored the annual National Night Out, community building event. This was the second year that Waverly Place was the event location. The night brought several thousand to the “center of town”. Hot dogs, ice cream, snow cones, and a bounce house were all provided to residents. Many thanks to our partners from the Madison Fire Department, Madison EMS, the borough administration and elected officials, New Jersey State Police, local businesses who donated their time and resources, and various county and state agencies who were also present. Ms. Byrne thanked the officers of the Madison Police Department. On July 30, 2022 Patrolman Cardenas and Capillas attended Madison Touch a Truck with a patrol car and the Emergency Services Unit [truck] at the Madison Area YMCA. The event, which supports the Friends of the Madison Library, was well attended. Lieutenant Perrelli and SRO Downs attended Morris School Security Assessment Training and have been working with the district to continually improve security at our schools. Morris County Sheriff’s Investigator Ashley Craig will be conducting a presentation of the RSVP-3 reporting system following the Madison School District Superintendents Coffee on August 22, 2022 at 7:00 p.m. The virtual meeting link will be shared on social media

Community Affairs

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

Mr. Hoover highlighted Resolution 224-2022, authorizing Bottle Hill Day and noted sponsors are still needed.

Finance and Borough Clerk

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

Ms. Coen noted a Joint Diversity event to be held at the Hartley Dodge Memorial, on Saturday, September 10th, along with elected officials and residents of the Borough of Chatham. More information to come. Property taxes are due no later than August 10th, to avoid penalties. The Finance Department reports that the purchasing system, Edmonds, will be moved to the cloud for better cyber security. Ms. Coen also noted that the Borough Health Offices will be moved to the Hartley Dodge Memorial first floor, with the Tax Office moving to the second floor Finance Office. The Tax Assessor’s office is now located in the Construction Department.

Public Works and Engineering

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

Ms. Ehrlich stated that a bill regarding climate action, to fulfill a set of integrated goals to reach net-zero emissions by 2050; reduce pollution in environmental justice communities; and reach net-negative emissions in the second half of the 20th century, has been approved by the House of Representatives and will now move to the Senate. Once approved, it will then move to the President’s desk for signature. Ms. Ehrlich reported that the road improvement program is in full swing with TilconNY completing work on Wednesday August 3rd. Paving began Friday, August

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8th and will be complete this Wednesday. Union Hill Road Dwyer Street, Lee Avenue, Leigh Drive, Surrey Lane, Elm Street, Page Street, Wilmer Street, Howard Street and Norman Circle were completed. Denville Line striping has been contacted and will restore pavement markings within the next week. Restabilization work for the MRC Trails project is also underway.

Health

Mr. Range, Chair of the Committee, made the following comments: Morris County COVID-19 cases are beginning to trend downward. Vaccines are available for those six months and older, and boosters are available for those 5 years and older. The CDC has declared Monkeypox virus a public health emergency, with NJ reporting 250 confirmed cases, six confirmed cases in Morris County. Monkeypox can spread through close contact with someone with monkeypox as well as contact with objects, clothing, bedding, towels, or surfaces used by someone with monkeypox. Mr. Range noted that the Health Offices will open at the Hartley Dodge Memorial after Labor Day.

COMMUNICATIONS AND PETITIONS - None

INVITATION FOR COMMENT (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 Meeting Moderator, each person give his/her name and address in an audible tone of voice, for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Dan Hickman, Keep Street, raised objection to the proposed extension of the Morris County Traction Line Pedestrian walkway, noting loss of trees and water runoff.

Mary Lloyd, Cedar Avenue, opposes the continuation of the Morris County Traction Line Pedestrian walkway, noting the number of trees that would need to be removed.

David Lloyd; Cedar Street, noted the traction line presentation is the third presentation, and hopes that Morris County has the wisdom not to proceed.

Kathleen Caccavale, Central Avenue, noted the National Association of Realtors suggests trails increase property values, and does not increase crime.

Mary Wilson; Sherwood Avenue, asked that a barrier be place between trail lines, plant more trees.

David Artigliere; Kinney Street, raised concern regarding a proposed traction line pedestrian walkway, noting property would be destroyed for the trail.

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

AGENDA DISCUSSIONS

08/08/2022-1 MORRIS COUNTY TRACTION LINE PEDESTRIAN WALKWAY AND BIKEWAY TRAIL

Denise Chaplick, of the Morris County Park Commission provided a presentation regarding continuation of the Morris County Traction Line Pedestrian Walkway and

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Bikeway Trail noting a proposal to continue the trail in the Borough of Madison from Danforth Road to Elm Street. Ms. Chaplick provided the history of the constructed portion of the trails and proposed location in Madison. Following the presentation, there was agreement consider support for a federal grant application at a future time.

Resolution 223-2022 was removed from the Consent Agenda.

ADVERTISED HEARINGS

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on July 25, 2022, 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 40-2022
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$455,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE MADISON PUBLIC LIBRARY ROOF RESTORATION PROJECT**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$455,000.00 from the General Capital Improvement Fund for the Madison Public Library Roof Restoration project; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$455,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$455,000.00 from the General Capital Improvement Fund for the Madison Public Library Roof Restoration project.

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 \$455,000.00 is hereby appropriated from the General Capital Improvement Fund for the Madison Public Library Roof Restoration project.

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

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

Mayor Conley opened up the public hearing on Ordinance 40-2022. Since no member of the public wished to be heard, the public hearing was closed.

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Ms. Ehrlich moved that Ordinance 40-2022, which was read by title, be finally adopted. Ms. Coen seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,
Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

Mayor Conley declared Ordinance 40-2022 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 41-2022
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$300,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE GREEN AVENUE PEDESTRIAN SAFETY PROJECT**

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$300,000.00 from the General Capital Improvement Fund for the Green Avenue Safety Improvements project; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$300,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$300,000.00 from the General Capital Improvement Fund for the Green Avenue Safety Improvements project.

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 \$300,000.00 is hereby appropriated from the General Capital Improvement Fund for the Green Avenue Safety Improvements project.

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

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

Mayor Conley opened up the public hearing on Ordinance 41-2022.

Elizabeth Vacchiano; Green Avenue, offer her support for the improvements to Green Avenue.

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

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Ms. Ehrlich moved that Ordinance 41-2022, which was read by title, be finally adopted. Ms. Coen seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,
Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

Mayor Conley declared Ordinance 41-2022 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 42-2022
ORDINANCE OF THE BOROUGH OF MADISON AMENDING
ORDINANCE 25-2022 APPROPRIATING \$15,000.00 FROM THE
GENERAL CAPITAL IMPROVEMENT FUND FOR THE REPLACEMENT
OF HYDRAULIC HOSES AND REPAIRS TO THE FIRE DEPARTMENT
LADDER TRUCK TO INCREASE THE APPROPRIATION FROM
\$65,000.00 TO \$80,000.00**

WHEREAS, Ordinance 25-2022 of the Borough of Madison appropriated \$65,000.00 from the General Capital Improvement Fund for replacement of hydraulic hoses and repairs to Ladder Truck (Tower 1); and

WHEREAS, the Fire Chief has recommended that the Borough amend Ordinance 25-2022 to appropriate an additional \$15,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 25-2022 to \$80,000.00 for replacement of hydraulic hoses and repairs to Ladder Truck (Tower 1); and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$15,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should amend Ordinance 25-2022 to appropriate an additional \$15,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 25-2022 to \$80,000.00 for replacement of hydraulic hoses and repairs to Ladder Truck (Tower 1).

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

SECTION 1: Ordinance 25-2022 is hereby amended to appropriate an additional \$15,000.00 from the General Capital Improvement Fund thereby increasing Ordinance 25-2022 to \$80,000.00 for replacement of hydraulic hoses and repairs to Ladder Truck (Tower 1).

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

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

Mayor Conley opened up the public hearing on Ordinance 42-2022. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 42-2022, which was read by title, be finally adopted. Mr. Landrigan seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,
Ms. Ehrlich, Mr. Landrigan, Mr. Range
Nays: None

Mayor Conley declared Ordinance 42-2022 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 COMMENT (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 Meeting Moderator, each person give his/her name and address in an audible tone of voice, for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Joseph Balwierzak; Beech Street, expressed opposition to the proposed traction line extension, very close to homes, will impact privacy, cause safety issues.

Frank Spatola; King Street, spoke in favor of the traction line extension, noting the plan need to be thought out.

Judy Kroll; Laurel Avenue, on behalf of the Friends of the Drew Forest, shared information found on their website, including several documents regarding the forest and wetlands investigations.

Kathleen Caccavale; Central Avenue, spoke in favor of a Landmark Tree Registry in the Borough, noting many large trees will qualify.

Suzanne Schreiber; Greenwich Court, asked if the court hearing regarding the Drew University law suit is public and raised concern regarding a lack of public discussion about the Drew Forest.

INTRODUCTION OF ORDINANCES - 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.

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

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,
Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

R 212-2022 RESOLUTION OF THE BOROUGH OF MADISON AWARDING THE MADISON PUBLIC LIBRARY ROOF RESTORATION BID TO MAK GROUP, LLC

WHEREAS, the Borough of Madison publicly advertised for the Madison Public Library Roof Restoration project (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Borough received two (2) bids; and

WHEREAS, the lowest qualified bid was submitted by Mak Group, LLC of Clifton, NJ, in the amount of \$456,758.00 plus Alternate Bid No. 1 for sheet metal flashing and trim in the amount of \$39,800.00; and

WHEREAS, the Purchasing Agent and Borough Attorney have recommended that the Borough Council award the contract to Mak Group, LLC of Clifton, NJ, in the amount of \$456,758.00 plus Alternate Bid No. 1 for sheet metal flashing and trim in the amount of \$39,800.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available for this purpose in Ordinances 18-2017 and 40-2022, or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The contract for the Madison Library Roof Restoration project is hereby awarded to Mak Group, LLC of Clifton, NJ in the amount of 456,758.00 plus Alternate Bid No. 1 for sheet metal flashing and trim in the amount of \$39,800.00.

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

R 213-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A MORRIS COUNTY HISTORIC TRUST FUND GRANT AGREEMENT FOR RESTORATION OF THE MADISON MASONIC LODGE NO.93

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WHEREAS, the governing body of the Borough of Madison desires to further historic preservation by applying for a grant from the New Jersey Historic Trust Fund for renovation of the Madison Masonic Lodge No.93.

WHEREAS, the Borough Council authorizes the Mayor and Clerk to execute a Grant agreement with the Morris County Historic Preservation Trust Fund Grant Program in connection with renovation of the Madison Masonic Lodge No.93.

NOW THEREFORE BE IT RESOLVED, the governing body authorizes the Mayor and Borough Clerk to execute the referenced grant agreement to effectuate grant disbursement and to provide the required matching funds for the completion of the project.

R 214-2022 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 244-2021 AUTHORIZING ADDITIONAL \$11,000 CONTRACT WITH MONTANA CONSTRUCTION, INC. FOR STORM SEWER REPAIRS COMPLETED ON AN EMERGENCY BASIS ON KEEP STREET

WHEREAS, the Borough Engineer has advised the Council that a storm sewer on Keep Street adjoining the Madison YMCA required emergency cleaning and repair in order to protect the health and welfare of the public; and

WHEREAS, the Borough previously authorized expending up to \$50,000.00 to repair the storm sewer on an emergency basis in R244-2021, pursuant to N.J.S.A 40A:11-6, and

WHEREAS, the Borough Engineer engaged the services of Montana Construction, Inc., to perform the emergency work; with consent of both YMCA and New Jersey Transit Rail, and

WHEREAS, the Borough Engineer has now requested that the Borough authorize an additional \$11,000.00 to Montana Construction, Inc., with provision for reimbursement of costs by New Jersey Transit for such work that occurred within its' jurisdiction; and

WHEREAS, New Jersey Transit (Rail Operations) has agreed to reimburse the Borough of Madison \$30,346.15 for its share of the emergency sewer work complete beneath the rail line; and

WHEREAS, the Borough Council has determined to authorize a contract covering final payment and change order to Montana Construction, Inc for the emergency services performed within YMCA and New Jersey Transit property; and

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WHEREAS, the Chief Financial Officer has attested that funds are available in Ordinances 38-2020, 32-2021, or other accounts identified by the Chief Financial Officer 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 a contract in an amount of \$50,000.00 plus an additional \$11,000.00 is authorized and ratified with Montana Construction, Inc. for the emergency services it performed as described herein acknowledging partial reimbursement by NJ Transit.

R 215-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Madison has determined that surplus Borough property is no longer needed for public use; and

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

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

BE IT FURTHER RESOLVED that the terms and conditions of the State Contract T-2581/19-GNSV1-00696 for online auction services is available in the Borough Clerk's office; and

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

R 216-2022 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 255-2021, AWARDING A CONTRACT TO ALLEGIANCE TRUCKS FOR THE PURCHASE OF AN INTERNATIONAL HOOK LIFT TRUCK AND ACCESSORIES UNDER SOURCEWELL

WHEREAS, a contract for the purchase of an International Hook Lift Truck and accessories in an amount not to exceed \$257,950.75 under Sourcewell contract #060920-NVS, International Truck was awarded to Allegiance Trucks of Linden, N.J., by Resolution 255-2021; and

WHEREAS, the Director of Public Works has recommended approval of an increase in the contract for purchase of an International Hook Lift Truck and

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accessories due to supply chain issues and unexpected cost increases in the amount of \$19,643.00, bringing the revised contract total to \$277,593.75; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an additional amount not to exceed \$19,643.00 for this purpose, which funds were appropriated by Ordinance 41-2018 in the amount of \$192,000.00 and Ordinance 24-2021 in the amount of \$380,000.00 and the existing ordinances contain sufficient funds to include this increase in the contract amount;

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 contract for the purchase of an International Hook Lift Truck and accessories, under Sourcewell contract #060920-NVS, International Truck to Allegiance Trucks of Linden, N.J., in the total amount not to exceed \$277,593.75 is hereby authorized.

R 217-2022 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN MATTHEW ORTIZ AS AN INTERN FOR THE BOROUGH OF MADISON

WHEREAS, the Personnel Director has recommended the appointment of Matthew Ortiz, as a part-time unpaid Intern in the newly formed Madison High School yearly internship program, working two and one-half (2 1/2) hours each day, with the opportunity to work in all municipal departments; 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 Matthew Ortiz, as a part-time unpaid Intern for the Madison High School yearly internship program, is hereby approved.

R 218-2022 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JAY HEALY AND KURT WILSON TO THE POSITIONS OF SUBSTITUTE CROSSING GUARD

WHEREAS, the Personnel Director has recommended appointing Jay Healy and Kurt Wilson to the positions of Substitute Crossing Guard; and

WHEREAS, the Chief Financial Officer has attested that funds are available for this purpose in the 2022 Police Department Budget # 240, Operating Account for Part-time Help #130.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that upon satisfactory completion of a background check Jay Healy and Kurt Wilson are each appointed to the position

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of Substitute Crossing Guard for the Borough of Madison for the school year commencing upon the effective date of this resolution and ending June 14, 2023, unless the school year is extended due to winter weather closings

BE IT FURTHER RESOLVED, that Jay Healy and Kurt Wilson be compensated in accordance with the Borough Resolution establishing the salaries for part-time school crossing guards.

R 219-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF MEMORIAL PARK PARKING AREA BY THE ADULT SCHOOL OF THE CHATHAMS, MADISON AND FLORHAM PARK

WHEREAS, the Adult School of the Chathams, Madison and Florham Park has requested permission to use the parking area at Memorial Park on Thursday, October 13, 2022 and Wednesday October 19, 2022, from 7:30 a.m. to 6:00 p.m.; and

WHEREAS, the Borough Administrator has recommended this request be approved; and

WHEREAS, the Adult School of the Chathams, Madison and Florham Park will submit a Certificate of Liability Insurance naming the Borough of Madison as an additional insured; 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 Adult School of the Chathams, Madison and Florham Park is hereby given permission to use the parking area at Memorial Park on Thursday, October 13, 2022 and Wednesday October 19, 2022, from 7:30 a.m. to 6:00 p.m., for a bus trip activity subject to approval of the Madison Police Department.

R 220-2022 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A LETTER FROM THE GOVERNING BODY STATING THERE IS NO OBJECTION TO THE ISSUANCE OF A TEMPORARY HELISTOP LICENSE FOR THE 'EVERY FIFTEEN MINUTES' PROGRAM AT THE MADISON HIGH SCHOOL

WHEREAS, the Madison Police Department hosts the "Every Fifteen Minutes" program at Madison High School; and

WHEREAS, to participate in the program, Atlantic Health requires a flight application for the issuance of a temporary helistop license to land a helicopter on the fields at the Madison High School; and

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WHEREAS, the Borough Council and the Chief of Police have concluded that there is no objection to the issuance of a temporary helistop license on March 27, 2023 for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the Mayor and the Borough Clerk are authorized to sign a letter stating there is no objection to the issuance of a temporary helistop license for the “Every Fifteen Minutes” program to be held on March 27, 2023.

R 221-2022 RESOLUTION OF THE BOROUGH OF MADISON AMENDING THE MEMORANDUM OF UNDERSTANDING WITH THE BOROUGH OF CHATHAM FOR STYROFOAM AND FOOD WASTE RECYCLING

WHEREAS, the Borough of Madison (“Borough”) entered into a Shared Service Agreement with the Borough of Chatham to facilitate Styrofoam recycling and food waste composting at the Madison Department of Public works recycling center, authorized by Resolution 125-2022; and

WHEREAS, to expand access to compost containers, the compost bins will be located at the Kings Road parking lot for easier access.

WHEREAS, the Borough Administrator recommends amending the agreement.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris in the State of New Jersey that Raymond M. Codey, Borough Administrator is hereby authorized to execute the attached amended Memorandum of Understanding.

R 222-2022 RESOLUTION OF THE BOROUGH OF MADISON OPPOSING THE PROPOSED INCREASES TO THE STATE HEALTH BENEFITS PROGRAM

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHPB, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the

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Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year”; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Madison, in the county of Morris calls up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Madison, in the county of Morris urges the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, State Senator Richard J. Codey, Assembly members John McKeon and Mila Jasey and New Jersey State League of Municipalities.

R 223-2022 Item removed and the number retired

R 224-2022 RESOLUTION OF THE BOROUGH OF MADISON PROCLAIMING SATURDAY, OCTOBER 1, 2022 AS BOTTLE HILL DAY AND AUTHORIZING BEER GARDEN

WHEREAS, the Mayor and Council of the Borough of Madison have supported the celebration of Bottle Hill Day for the last forty years; and

WHEREAS, Bottle Hill was the name given the community formed in Madison prior to the American Revolution; and

WHEREAS, celebrations commemorating Bottle Hill have been an integral part of the history of Madison; and

WHEREAS, Bottle Hill Day provides an excellent opportunity for all members of Madison families to participate in a Borough recreational activity.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that October 1, 2022 is hereby proclaimed as **BOTTLE HILL DAY**.

BE IT FURTHER RESOLVED, that the following activities are hereby authorized between the hours of 10 a.m. and 6 p.m.:

(1) Merchants contiguous to the sidewalks along the north and south sides of Main Street between Community Place and Greenwood Avenue, both sides of Green Village Road from Kings Road to Main Street, Central Avenue and Waverly Place shall be permitted to sell their merchandise on the sidewalks assuming they provide clear access for pedestrians.

(2) Vendors, entertainment and activities shall be allowed to set up at various locations that are approved by the Police Department and the Assistant Borough Administrator/CFO, on the western portion of Lincoln Place, both sides of Waverly Place, both sides of Central Avenue (from Main Street to Brittin Street), and Green Village Road between the James Building and the Museum of Early Trades and Crafts, which streets shall be closed to motor vehicle traffic during the event.

(3) The Downtown Development Commission together with the Madison Main Street Foundation shall be permitted to operate a beer garden on Kings Road, subject to such restrictions or conditions as may be required by the Madison Chief of Police. Alcohol is permitted only in the beer garden on Kings Road. The location of the beer garden on Kings Road shall be determined by the Assistant Borough Administrator/CFO.

R 225-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING USE OF COMMUNITY POOL PUBLIC PARKING LOT BY THE CUB SCOUT PACK 226 ON SEPTEMBER 9, 2022

WHEREAS, Cub Scout Pack 226 has requested permission to use the public parking lot at the Madison Community Pool on Friday, September 9, 2022, between the hours of 6:00 p.m. and 7:00 p.m.; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; 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 Cub Scout Pack 226 use of the Madison Community Pool public parking lot to be held September 9 2022, between the hours of 6:00 p.m. and 7:00 p.m. is hereby approved subject to such

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safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 226-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY THE MADISON ROTARY CLUB FOUNDATION

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

MADISON ROTARY CLUB FOUNDATION

MADISON ROTARY CLUB FOUNDATION

I.D. No. 274-8-42881

R.A. No. 1535 – Off-Premise 50/50

Date of Raffle – October 1, 2022

R.A. No. 1536 – Off-Premise 50/50

Date of Raffle – December 15, 2022

R 227-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING USE OF THE ICE ARENA FIELD BY THE CUB SCOUT PACK 226 ON OCTOBER 8, 2022 AND MARCH 4, 2023

WHEREAS, Cub Scout Pack 226 has requested permission to use the field at the Ice Arena on Saturdays, October 8, 2022, and March 4, 2023 between the hours of 5:00 p.m. and 6:00 p.m.; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; 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 Cub Scout Pack 226 use of the Ice Arena Field Saturdays, October 8, 2022, and March 4, 2023, between the hours of 5:00 p.m. and 6:00 p.m. is hereby approved subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 228-2022 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY THE MADISON EDUCATION FOUNDATION

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:

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MADISON EDUCATION FOUNDATION

I.D. No. 274-5-36429

R.A. No. 1537 – On-Premise 50/50

Date of Raffle – September 9, 2022

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Landrigan, seconded by Ms. Byrne 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	\$248,649.85
General Capital Fund	818.40
Electric Operating Fund	144,373.34
Electric Capital Fund	0.00
Water Operating Fund	2,512.67
Water Capital Fund	0.00
Trusts	<u>53,331.58</u>
Total	<u>\$449,685.84</u>

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

Yeas: Ms. Byrne, Mr. Hoover, Ms. Coen,
Ms. Ehrlich, Mr. Landrigan, Mr. Range

Nays: None

NEW BUSINESS - None

ADJOURN

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

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved September 12, 2022 (EO)