

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

August 10, 2015 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 10th day of August, 2015. Mayor Conley called the meeting to order at 7:00 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 8, 2015. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Robert G. Catalanello

Robert Landrigan

Carmela Vitale

Astri J. Baillie

Benjamin Wolkowitz

Patrick W. Rowe

Also Present:

Raymond M. Codey, Borough Administrator

Elizabeth Osborne, Borough Clerk

John A. Napolitano, 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 27, 2015

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

CONTRACT MATTERS (6)

HEALTH SERVICES – BOROUGH OF CHATHAM

HDM PRESERVATION PLAN

SKATING RINK – DRAINAGE IMPROVEMENTS

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SPORTS FIELD – TURF REPLACEMENT
PROFESSIONAL ENGINEERING SERVICES – RECONSTRUCTION OF
PROSPECT ST. AND GREENWOOD AVE.
GENERATOR-WELL E

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

PERSONNEL MATTERS (2)
METER READER- FULLTIME
CFO APPOINTMENT

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

LITIGATION MATTERS (1)
TAX APPEAL – 49 MIDWOOD TERRACE

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

Seconded: Mr. Catalanello
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

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

APPROVAL OF MINUTES

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

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

Nays: None

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

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz

Nays: None

Abstain: Mr. Rowe

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

The next Council meeting will take place on Wednesday, September 16, 2015.

ANNIVERSARIES FOR THE MONTH OF AUGUST

Robert Serillo of the Department of Public Works – 20th Anniversary on August 1st

Detective Edward Mitchko of the Madison Police Department – 20th Anniversary on August 16th.

REPORTS OF COMMITTEES

Community Affairs

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

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The Chamber of Commerce announces Restaurant Week, for one week in October, Madison restaurants offer special menus at special prices to promote dining locally. The Madison Arts and Cultural Alliance will host a Gala Auction October 24th. All art banners will be available for purchase by auction at the Hartley Dodge Memorial. Knitters and Crocheters at the Senior Center have been making caps, fingerless gloves and shawls for patients receiving treatment at the Carol Simon Cancer Center. One volunteer, Dolores Marques, has taken on the responsibility of delivering discarding books from the Senior Center bookcases for distribution to patients. The 2015 Summer Seminar Series has ended, with ten programs presented and an audience total of 678 participants.

Public Safety

Mr. Catalanello, Chair of the Committee, made the following comments: The Police Department reported training for the month of July including Sgt. Boone's participation in Alice Training for response to a school shooting and all officer received Cops in Crosswalk training. The Police Department responded to 82 medical emergency calls and the Auxiliary Police logged 128 hours for the month of July. There was no additional Sergeant overtime as the new corporal position logged 219 ½ hours. Joseph Mittermaier was appointed as a Special Class II Officer and the Department received a \$15,000.00 pedestrian safety grant for enforcement and public safety.

Utilities

Mrs. Vitale, Chair of the Committee, made the following comments: The Water Department reports continued water sampling and testing as required, as well as installation of new and replacement meters. Residents are asked to conserve water including odd and even watering days only after dusk. The Electric Department has completed installation of new poles and anchors on Dogwood Drive, and a new pole on Kings Road, as well as drilled and re-set existing pole for the Board of Education. Service upgrades and mark-outs are completed as requested.

Finance and Borough Clerk

Mr. Landrigan, Chair of the Committee, made the following comments: The Borough went to market last Thursday selling \$1.5 million in Bond Anticipation Notes and has selected TD Bank as the best rate. A closing is anticipated in December on the former Green Village Road School property, with a one million dollar payment to further reduce the turf field debt. Legislation is still pending regarding a Green Acres grant and the 2016 municipal budget process has been initiated by the Borough Administrator.

Health

Mr. Wolkowitz of the Committee made the following comments: The Health department reports no cases of Legionnaire's disease in this area. The Health Department is responsible for alerting residents of food and/or drug recalls, which will be posted on the Boroughs' website. There are no recalls at this time.

Public Works and Engineering

Mr. Rowe, Chair of the Committee, made the following comments: The Shade Tree Management Board reports planting of over 100 trees in the Borough as well as removal of approximately 100 trees. In addition, a wind shield survey of every street in town was undertaken to assess trees in need of pruning and maintenance, hazardous conditions, and opportunities for new tree plantings.

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COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Letter dated January 28, 2015, from Alan Andreas, Main Street regarding donation of property on Ridgedale Avenue.

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

08/10/2015-1 STRATEGIC PLANNING UTILITY COMMITTEE PRESENTATION

Mr. Wolkowitz introduced Mr. Martin Barbato, chairman of the Strategic Planning Utility Committee. Mr. Barbato presented recommendations including the committee's Mission Statement, explanation of reliability, and surplus. The Committee recommends the Council adopt the Mission Statements and use the recommendations as a guideline in decision making regarding Capital Asset Investments, Reliability Analysis, Rate Setting, and Surplus Generation. Following discussion, Mr. Wolkowitz stated that a resolution adopting the committee's recommendations will be prepared for the next Council meeting. Mayor Conley thanked the committee members for their efforts.

08/10/2015-2 PERMANENT SEATING FOR THE MRC TURF FIELDS

Ms. Baillie proposed authorizing the Borough Engineer to investigate the cost of design and installation of seating at the MRC turf fields. Following discussion there was agreement to move forward with gathering information for design and costs.

ADVERTISED HEARINGS

The Clerk made the following statement:

The ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on July 27, 2015, was 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 48-2015
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
155 OF THE MADISON BOROUGH CODE ENTITLED "SEWER" TO
UPDATE THE SEWER CONNECTION FEE SCHEDULE**

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WHEREAS, the Borough Engineer and Borough Auditor have recommended that the Borough amend Chapter 155 of the Madison Borough Code entitled “Sewer” to include an updated sewer connection fee schedule; and

WHEREAS, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2014, and based on such study has recommended a sewer connection fee in the amount of \$5,182.00 for new customers; and

WHEREAS, such sewer connection fee is authorized by N.J.S.A. 40A:26A-11 entitled “Municipal and County Sewerage Facilities”.

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 155-4A of the Madison Borough Code, currently entitled “Connection expenses; responsibility for maintenance, repair and replacement of laterals” is hereby amended as follows:

§155-4 Connection fees; connection expenses; responsibility for maintenance, repair and replacement of laterals.

A. Sewer connection fees.

There shall be a basic connection fee established in accordance with N.J.S.A. 40A:26A-11. The fee for the remainder of 2015 shall be:

1. For single family dwelling units, \$5,182.00, and for multiple dwelling units, \$5,182.00 per unit.
2. In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 265 gallons or fraction thereof: \$5,182.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The sewer connection fee is based upon the usage of a single dwelling unit or equivalent discharge. The sewer connection

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fee shall be payable in full to the Borough of Madison at the time a building sewer permit is issued for connection to the public sanitary sewer by the Borough of Madison.

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

Mayor Conley opened up the public hearing on Ordinance 48-2014. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 48-2014, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 48-2014 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.

Michael Soriano, Woodland Road, asked about a time frame for reports from consultants regarding the electric, water and sewer departments. Mr. Codey noted a minimum of 30 days for each report.

Mr. Napolitano advised that employees interviewed for an advertised meter reader position have been served personnel exemption Rice notices. Mr. Joseph Negri wishes to discuss the hiring process at tonight's public meeting, noting that other candidates have not given permission to be discussed outside of closed session.

Joseph Negri, North Street, asked to discuss his qualifications for the advertised meter reader position. Mr. Codey stated Mr. Negri current employment history as a Laborer for the Borough, noting that he has not yet obtained a CDL license, a requirement of his current position and his lack of experience as a meter reader. Mr. Codey noted that it is the Council's prerogative to hire the most qualified candidate.

Jim Finelli, Dean Street, commented on the requirements for the meter reader position, noting that a CDL license is not required. Mr. Finelli also asked for explanation of the "Acting" title with regard to the Chief Financial Officer position. Mr. Napolitano explained that, by state statute, two employees cannot be appointed to certain municipal positions.

INTRODUCTION OF ORDINANCES-NONE

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

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

Ms. Baillie moved adoption of Resolutions R 233-2015, R 234-2015, R 236-2015 through R 245-2015 and R 247-2015 and R 248-2015 listed on the Consent Agenda. Mr. Catalanello seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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

R 233-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JAMES TRIMBLE TO THE POSITION OF FULL-TIME METER READER IN THE UTILITY DEPARTMENT

WHEREAS, the Borough Administrator has recommended appointing James Trimble to the position of Full-time Meter Reader in the Office of the Utility Department effective August 11, 2015; 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 James Trimble is hereby appointed to the position of Full-time Meter Reader in the Utility Department, effective August 11, 2015, to be compensated at the annual salary of \$43,390.00.

R 234-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AGREEMENT FOR HEALTH SERVICES WITH THE BOROUGH OF CHATHAM

WHEREAS, the Borough of Madison wishes to furnish to the Borough of Chatham health services of a technical and professional nature as hereinafter set forth, in consideration of payment as hereinafter provided, all according to N.J.S.A. 26:3A2-1 et seq.; and

WHEREAS, the Borough of Chatham is agreeable to contracting for such services; and

WHEREAS, the Borough Administrator has recommend the Council authorize execution of an agreement with the Borough of Chatham, with an initial base fee of \$68,890.00, plus \$13,973.00 for sanitarian services, on such terms and in a form acceptable to the Borough Attorney.

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 Borough

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Clerk be authorized to enter into an agreement for health services as described herein in such form approved by the Borough Attorney.

R 235-2015 Item Removed and the # retired.

R 236-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING SCHOOL CROSSING GUARDS FOR THE 2015-2016 SCHOOL YEAR

WHEREAS, N.J.S.A. 40A:9-154.1 provides that municipalities may appoint school crossing guards for terms not exceeding one year.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following school crossing guards are hereby appointed for the 2015/2016 school year commencing September 3, 2015 and ending June 17, 2016, unless the school year is extended due to winter weather closings:

PAMELA ALLOCCO	CATHERINE ECKES
GLENN ATKINSON	NANCY ESPOSITO
WILLIAM BORIE	MIROSLAV HADVAB
JANET BRUNS	RONALD LEONARDIS
THEODORE BRUNS JR.	JAMIE LIMONE
FRANCES CARUSO	MARGARET LOSAPIO
VIRGINIA CERCIELLO	NICHOLAS LOSAVIO
ANDREW COBB III	MARY MARANO
DEIDRE COVINGTON	CATHERINE PENDOLINO
TERESA CROSS	CONCETTA PERILLO
NANCY CURTO	MARIO RATTROVO
LORENZO D'AMATO	ELIZABETH TWILLMANN
GIUSEPPE D'AVINO	MARIE VAN DEUSEN
EDWARD DIEMER	JUANITA VAN RYZIN
FRANCESCA DRAGO	AGNES YULIANO

The following guards shall be appointed pending a successful background investigation:

ROBERT WILDEROTTER, JOAN FINELLI, PATRICIA GIBBONS

R 237-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY GRACE EPISCOPAL CHURCH

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:

GRACE EPISCOPAL CHURCH
I.D. No. 274-1-35285
R.A. No. 1359 – On Premise 50/50, October 17, 2015

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R 238-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY MADISON VOLUNTEER AMBULANCE CORP INC.

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

MADISON VOLUNTEER AMBULANCE CORP INC.
I.D. No. 274-10-31453
R.A. No. 1360 – On Premise 50/50
September 19, 2015

R 239-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING USE OF THE HARTLEY DODGE MEMORIAL BY THE GARDEN CLUB ON OCTOBER 14, 2017

WHEREAS, Garden Club members have requested permission to hold a garden show on Friday, October 14, 2017, from 5:00 p.m. to 10:00 p.m., at the Hartley Dodge Memorial; and

WHEREAS, the Borough Administrator recommends that Council approve this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Garden Club is hereby given permission to hold a garden show at the Hartley Dodge Memorial, on Friday, October 14, 2017, from 5:00 p.m. to 10:00 p.m., conditioned upon a Certificate of Insurance naming the Borough of Madison as an additional insured in an amount satisfactory to the Chief Financial Officer being provided to the Borough Clerk prior to the event.

R 240-2015 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 180-2015 PREVIOUSLY AWARDING A CONTRACT TO CIFELLI & SON GENERAL CONTRACTING, INC. IN THE AMOUNT OF \$1,008,914.02 FOR THE 2015 RIDGEDALE AVENUE IMPROVEMENTS

WHEREAS, Resolution 180-2015 awarded a contract for the 2015 Ridgedale Avenue Improvements based upon a bid in the amount of \$1,008,914.02 for the base bid, plus certain bid alternates #1 and #3, to Cifelli & Sons Construction; and

WHEREAS, The Borough Council wishes to correct the award resolution to reflect the correct business entity, as Cifelli & Son General Contracting, Inc; and

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WHEREAS, the Purchase Order, Contract Award, Notice to Proceed and Contract were issued and executed by the correct entity, Cifelli & Son General Contracting, Inc.

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. Resolution 180-2015 is amended to clarify and correct the name of the contractor for the 2015 Ridgedale Avenue Improvements to Cifelli & Son General Contracting, Inc., based upon its bid in the amount of \$1,008,914.02 for the base bid, plus certain bid alternates #1 and #3.

R 241-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT OF THE 2012, 2013 AND 2014 TAX APPEALS ENTITLED ROBERT BECKER ET AL V. MADISON BOROUGH, DOCKET NO. :007370-2012; 002665-2013 AND 002920-2014 OF THE TAX ASSESSMENT OF BLOCK 4402, LOT 8, KNOWN AS 49 MIDWOOD TERRACE, IN THE BOROUGH OF MADISON, MORRIS COUNTY , NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax year 2012, 2013 and 2014 involving 49 Midwood Terrace, Block 4402, Lot 8, has been filed by the Taxpayer, Robert Becker et al; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Appeal Attorney; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest 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, as follows:

1. Settlement of the 2012 tax appeal is hereby authorized as follows:

49 Midwood Terrace
Block 4402, Lot 8
Year 2012

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$795,000	N/A	\$1,087,000
Imprvts:	\$825,200	N/A	\$ 263,000
Total:	\$1,620,200	N/A	\$1,350,000

2. Settlement of the 2013 and 2014 tax appeals is hereby authorized as follows:

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49 Midwood Terrace
Block 4402, Lot 8
Year 2013, 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$1,087,000	N/A	\$1,087,000
Imprvts:	\$ 945,300	N/A	\$ 945,300
Total:	\$2,032,300	N/A	\$2,032,300

3. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Borough Municipal Tax Appeal Attorney to enter into the Stipulation of Settlement as provided by Taxpayer.

R 242-2015 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING CONTRACT TO W. CONNON & ASSOCIATES, LLC FOR DRAINAGE
IMPROVEMENTS TO THE SKATING RINK AT MEMORIAL PARK IN THE
AMOUNT OF \$34,520.00

WHEREAS, the Borough of Madison received quotes for drainage improvements to the Skating Rink at Memorial Park (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the qualified proposal was submitted by W. Connon & Associates, LLC in the amount of \$34,520.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the contract to W. Connon & Associates, LLC in the amount of \$34,520.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$34,520.00 for this purpose which funds were appropriated by Ordinance 14-2015.

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

1. The contract for drainage improvements to the Skating Rink at Memorial Park is hereby awarded to W. Connon & Associates, LLC based upon its proposal in the amount of \$34,520.00.

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

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R 243-2015 RESOLUTION OF THE MADISON BOROUGH COUNCIL
AWARDING CONTRACT TO OUTDOOR DESIGN, INC. FOR THE MEMORIAL
PARK SOCCER FIELD REPLACEMENT PROJECT IN THE AMOUNT OF
\$38,200.00

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

WHEREAS, the qualified proposal was submitted by Outdoor Design, Inc. in the amount of \$38,200.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the contract to Outdoor Design, Inc. in the amount of \$38,200.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$38,200.00 for this purpose which funds were appropriated by Ordinance 14-2015.

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

1. The contract for Soccer Field Replacement project at Memorial Park is hereby awarded to Outdoor Design, Inc. based upon its proposal in the amount of \$38,200.00, contingent upon proof of 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 Outdoor Design, Inc. in a form acceptable to the Borough Attorney.

R 244-2015 RESOLUTION OF THE BOROUGH OF MADISON AWARDING
PROFESSIONAL SERVICES CONTRACT TO OMLAND ENGINEERING
ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$42,800.00 FOR
PROFESSIONAL LAND SURVEYING SERVICES FOR PROSPECT STREET AND
GREENWOOD AVENUE

WHEREAS, the Madison Borough Engineer has advised the Borough Council that professional design and engineering services are needed for land surveying services for the reconstruction of Prospect Street and Greenwood Avenue; and

WHEREAS, the Borough Engineer has recommended that Omland Engineering Associates, Inc., professional engineers, be awarded a professional contract for these services at a cost not to exceed \$42,800.00, based on their written proposal dated June 1, 2015; and

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WHEREAS, said services would constitute professional services for which a contract may be awarded without the need for competitive bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$42,800.00 for this purpose, in Ordinance 47-2015. **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 Mayor and Borough Clerk are hereby authorized to execute on behalf of the Borough a professional services contract with Omland Engineering Associates, Inc., in an amount not to exceed \$42,800.00, to perform Professional land surveying services for the reconstruction of Prospect Street and Greenwood Avenue, including all of the work to be done as set forth in the written proposal dated June 1, 2015 and provided such contract is in a form approved by the Borough Attorney.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to publish notice of 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 245-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE WATER DEPARTMENT TO EXECUTE WATER MAIN EXTENSION CONSENT FORMS ASSOCIATED WITH BLOCK 3001, LOT 8

WHEREAS, the Madison Zoning Board of Adjustment and the Madison Planning Board granted subdivision approval and development approvals for Block 3001, Lot 8 for applicant KRE Madison NJ Urban Renewal, LLC 205/215 Madison Avenue, for the Green Village Road Redevelopment; and

WHEREAS, the New Jersey Department of Environmental Protection (“NJDEP”) requires that the Borough submit consent forms before it issues a permit authorizing the extension of water main service to the Green Village Road Redevelopment Lot; and

WHEREAS, the Borough Council desires to submit the appropriate consent forms to obtain a NJDEP permit authorizing the extension of the water main service to the Green Village Road Redevelopment Lot.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the Borough authorizes the Borough Engineer to execute and submit consent forms to the NJDEP in order to obtain a permit authorizing the extension of the water main service to the Green Village Road Redevelopment Lot.

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R 247-2015 RESOLUTION OF THE BOROUGH OF MADISON REJECTING THE DEFECTIVE BID OF ROSE CITY ELECTRIC AND AWARDING CONTRACT FOR PURCHASE OF NEW UNUSED GENERATOR, TRANSFER SWITCH AND DIESEL FUEL TANK TO FALAK CONSTRUCTION, INC. IN THE AMOUNT OF \$90,426.00

WHEREAS, the Borough of Madison publicly advertised for bids for the purchase of a new unused generator, transfer switch and diesel fuel tank (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the apparent low bidder, Rose City Electric’s bid is hereby rejected, on advise of the Borough Attorney, due to their failure to submit the statutorily required Iranian Disclosure statement, which is an incurable defect; and

WHEREAS, the lowest qualified bid was submitted by Falak Construction, Inc. in the amount of \$90,426.00; and

WHEREAS, the Qualified Purchasing Agent has recommended that the Borough Council award the contract to Falak Construction, Inc. in the amount of \$90,426.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$90,426.00 for this purpose which funds were appropriated by Ordinances 17-2014 and 56-2014.

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 purchase of a new unused generator, transfer switch and diesel fuel tank is hereby awarded to Falak Construction, Inc. based upon its bid in the amount of \$90,426.00.

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

R 248-2015 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING THE MORRIS COUNTY OFFICE OF EMERGENCY MANAGEMENT MULTI-HAZARD MITIGATION PLAN UPDATE

WHEREAS the Borough of Madison, has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

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WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; and

WHEREAS a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee; and

WHEREAS the *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, dated July 2015, includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law.

NOW THEREFORE BE IT RESOLVED by Borough Council of the Borough of Madison:

1. The *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency in July 2015 by the Morris County Office of Emergency Management is hereby adopted as an official plan of the Borough of Madison; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Madison departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Madison, and this resolution shall not be interpreted so as to mandate any such appropriations.

The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Morris County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

Ms. Baillie moved adoption of Resolutions R 246-2015 listed on the Consent Agenda. Mrs. Vitale seconded the motion. Mr. Catalanello raised concern regarding the timing and title of the position of Acting Chief Financial Officer. Mayor Conley noted other positions filled upon retirement with overlap and acting titles. Following Council discussion, the motion passed with the following roll call vote recorded:

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

Nays: None

Abstain: Mr. Catalanello

R 246-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING JAMES E. BURNET, IV ACTING CHIEF FINANCIAL OFFICER

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WHEREAS, the Mayor, with the advice and consent of the Borough Council, has appointed James E. Burnet, IV to the position of Acting Chief Financial Officer effective August 11, 2015; and

WHEREAS, the Borough Council wishes to set a pensionable stipend for this appointment.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that Acting Chief Financial Officer James E. Burnet, IV's salary shall be increased by \$1,667.00 per month pensionable stipend commencing August 11, 2015, while he serves as Acting Chief Financial Officer.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

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

Public Safety	\$20,460.52
Health & Public Assistance	2,527.36
Public Works & Engineering	132,009.16
Community Affairs	1,796.11
Finance & Borough Clerk	3,433,967.06
Utilities	<u>307,050.36</u>
Total	<u>\$3,897,810.57</u>

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

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

Nays: None

NEW BUSINESS

Mayor Conley announced the following appointment and requested Council confirmation:

ZONING BOARD OF ADJUSTMENT

Carl Hess of 198 Park Avenue for an unexpired term (Poeter) through December 31, 2015.

Ms. Baillie moved approval of the foregoing appointment, seconded by Mr. Landrigan and passed by the following vote:

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

Nays: None

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ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved September 16, 2015 (EO)