

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

September 11, 2017 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 11th day of September, 2017. Mayor Conley called the meeting to order at 7:00 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 5, 2017. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Carmela Vitale

Astri J. Baillie

Benjamin Wolkowitz

Patrick W. Rowe

Maureen Byrne

Absent: Robert Landrigan, 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

Mrs. Vitale moved:

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

MINUTES FOR APPROVAL (1)

None

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

CONTRACT MATTERS (5)

HOUSING AUTHORITY UPDATE

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POLICE EXTRA DUTY
JOINT MEETING - EMERGENT WORK
RAPID PUMP & METER SERVICE CO.
UNION CONTRACT – UNIFORM SERVICES
Date of public disclosure 60 days after conclusion, if disclosure required.

PERSONNEL MATTERS (5)
POLICE DEPARTMENT
FINANCE DEPARTMENT – TAX COLLECTOR
ELECTRIC UTILITY REORGANIZATION
CUSTOMER SERVICE REPRESENTATIVE
SUBSTITUTE VAN DRIVER
Date of public disclosure 90 days after conclusion, if disclosure required.

Seconded: Ms. Baillie
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Presentation of the American Flag and the Pledge of Allegiance was lead by Cub Scout Troop, Pack 124. Troop members honored Madison residents who lost their lives on September 11, 2001.

APPROVAL OF MINUTES

Mrs. Vitale moved approval of the **Regular Meeting Minutes of August 14, 2017**. Ms. Byrne seconded the motion, which passed with the following roll call vote recorded:

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

GREETINGS TO PUBLIC

Mayor Conley asked for a motion for the following resolutions listed on the Consent Agenda:

R 247-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE MADISON POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL NO. 92 (PBA)

WHEREAS, the Borough of Madison ("Borough") commenced collective negotiations with the Local 92 PBA bargaining unit; and

WHEREAS, the Borough was able to successfully negotiate a Memorandum of Agreement/Understanding with the PBA for the period January 1, 2018 to December 31, 2021; and

WHEREAS, the Mayor and Council have considered the specific terms and conditions contained in the Memorandum of Agreement for the above noted bargaining unit.

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NOW THEREFORE BE IT RESOLVED as follows:

1. The Mayor and Council approve the attached Memorandum of Agreement for the above-bargaining unit and the terms and conditions specifically set forth in the agreement; and
2. The Mayor and Council hereby authorize the Borough Administrator, Mayor and Borough Clerk to execute the Memorandum of Agreement; and
4. The Mayor and Council authorize the Borough Administrator and CFO to effectuate the collective bargaining agreement.

R 248-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE FIREFIGHTER'S MUTUAL BENEVOLENT ASSOCIATION LOCAL NO. 74 (FMBA)

WHEREAS, the Borough of Madison ("Borough") commenced collective negotiations with the Local 74 FMBA bargaining unit; and

WHEREAS, the Borough was able to successfully negotiate a Memorandum of Agreement/Understanding with the FMBA for the period January 1, 2018 to December 31, 2021; and

WHEREAS, the Mayor and Council have considered the specific terms and conditions contained in the Memorandum of Agreement for the above noted bargaining unit.

NOW THEREFORE BE IT RESOLVED as follows:

1. The Mayor and Council approve the attached Memorandum of Agreement for the above-bargaining unit and the terms and conditions specifically set forth in the agreement; and
2. The Mayor and Council hereby authorize the Borough Administrator, Mayor and Borough Clerk to execute the Memorandum of Agreement; and
4. The Mayor and Council authorize the Borough Administrator and CFO to effectuate the collective bargaining agreement.

R 249-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE MADISON SUPERIOR OFFICERS ASSOCIATION LOCAL NO. 92 (SOA)

WHEREAS, the Borough of Madison ("Borough") commenced collective negotiations with the Local 92 SOA bargaining unit; and

WHEREAS, the Borough was able to successfully negotiate a Memorandum of Agreement/Understanding with the SOA for the period January 1, 2018 to December 31, 2021; and

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WHEREAS, the Mayor and Council have considered the specific terms and conditions contained in the Memorandum of Agreement for the above noted bargaining unit.

NOW THEREFORE BE IT RESOLVED as follows:

1. The Mayor and Council approve the attached Memorandum of Agreement for the above-bargaining unit and the terms and conditions specifically set forth in the agreement; and
2. The Mayor and Council hereby authorize the Borough Administrator, Mayor and Borough Clerk to execute the Memorandum of Agreement; and
4. The Mayor and Council authorize the Borough Administrator and CFO to effectuate the collective bargaining agreement.

Mrs. Vitale moved approval of the Resolutions 247-2017, 248-2017, and 249-2017
Ms. Baillie seconded the motion, which passed with the following roll call vote recorded:

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

Members of the Madison SOA ,PBA and FMBA stepped forward to sign memoranda of understanding regarding the collective bargaining contracts.

EMPLOYEE OF THE MONTH FOR SEPTEMBER:

The Employee of the Month for September is Joanne Grillo of the Health Department for the assistance she provided to the new Director of the Senior Center during the transition caused by the retirement of our longtime Senior Director, while meeting her job responsibilities at the Board of Health.

PROCLAMATION:

Mayor Conley presented a proclamation regarding Madison Area YMCA Celebrating Community Week Proclamation.

Proclamation
of the
Borough of Madison
Proclaiming
Madison Area YMCA
Celebrating Our Community Week
September 15 - 24, 2017

WHEREAS, the YMCA of the USA has partnered with Welcoming America to celebrate the growing movement of inclusive communities across the United States; and

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WHEREAS, Celebrating Our Community Week celebrates members of the Madison Area YMCA and the community and their contributions to the social fabric of our country; and

WHEREAS, the goal of Celebrating Our Community Week is to promote cross-cultural understanding and raise awareness of the benefits of welcoming everyone; and

WHEREAS, with more than 42 million foreign-born individuals currently living in the United States, more than at any other point in history, it is imperative for the well-being of our communities that all neighbors have opportunities to engage, build mutual understanding and work together to create positive social progress for all; and

WHEREAS, Celebrating Our Community Week highlights the visibility of the commitment of the Madison Area YMCA to engage underserved populations and contribute to more connected and cohesive communities; and

WHEREAS, this initiative creates a platform to engage members and to support the importance of diversity and inclusion at the YMCA and in our communities while enhancing partnerships and serving community organizations and businesses;
NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim September 15 to September 24 as ***Celebrating Our Community Week at the Madison Area YMCA.***

Robert H. Conley, Mayor
September 11, 2017

Mayor Conley announced that the Madison Police Department, along with police departments in surrounding communities will collect goods for a Hurricane Relief Effort initiative. Residents can drop off donated goods at the Public Safety Complex.

REPORTS OF COMMITTEES

Public Works and Engineering

Mrs. Vitale, Chair of the Committee, made the following comments:
The Borough Engineer will make a presentation later this evening on 2017 capital projects. Stavola Contracting completed the mill and overlay for nine streets in the road program totaling 3.6 miles and 7,800 tons of asphalt. Additional paving on Kings Road will be considered this fall as work progresses with sidewalks and lighting. Cifelli & Son Contracting completed paving work on the seven streets in totaling 1.5 miles and 2,800 tons of asphalt. Zuccaro, Inc. and Briteway Electric have completed the signal replacement work for the County of Morris at the Loantaka-Woodland intersection. Jen Electric completed upgrades to four municipal traffic signals over the past month. Public Service Gas main replacement work on Main Street (east of Greenwood Ave) has been scheduled to start in October. Rapid Pump and Meter Co. continues work at North Street Pump Station. Independence Contractors anticipates starting the concrete work for the DPW canopy at the refueling area this month.

Public Safety

Mr. Landrigan, Chair of the Committee, absent.

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Finance and Borough Clerk

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

Ms. Baillie thanked Mr. Codey and Mr. Burnet for successful negotiations of the uniform officers' contracts. The annual tax sale will take place September 12th with one property listed for sale of lien.

Utilities

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

The Electric Department continued installation of poles and cable on Kings Road and Division Avenue for a new housing development. They have installed a new transformer on Crestwood Drive and one new pole on Knowlwood Drive. Service has been installed to new traffic lights at Woodland Road and Loantaka Way and relocation of temporary sheds at the Rosedale skating pond is complete. New LED lighting has been installed in James Park substation.

Health

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

On Tuesday, September 19th, the Board of Health will discuss introduction of an ordinance regarding invasive plants which will include bamboo. The Board of Health will also be discussing an ordinance that will address the issue of feral cats. Flu Clinic dates have been set for Tuesday, October 10th at the Rexford Tucker Apartments and Wednesday, October 25th and Wednesday, November 1st at the Civic Center. Bottle Hill Day food vendors are encouraged to send in their applications for a temporary food license to the Health Department. The Health Department has scheduled an annual free Rabies Clinic to be held on Saturday, December 9th at the DPW Garage on John Street, between 10:00a.m. and 12:30 p.m. Additional information will be available on Rosenet.

Community Affairs

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

Reporting for Public Safety, Ms. Byrne noted that Patrolman Ryan Dunne and Patrolman Travis Daniel traveled to Kissimmee Florida to attend the funerals of Sgt. Richard Howard and Officer Matthew Baxter who were shot and killed in the line of duty. Madison officers have attended funerals in Dallas Texas, Baton Rouge Louisiana, Des Moines Iowa and now Florida. Jet Blue Airlines flew officers free of charge to the funerals. Chief Dachisen has ordered his officers to wear black mourning bands on their badges for the next 30 days. On August 21, 2017 the Madison Police Department and P.B.A. Local 92 presented Madison resident, United States Marine Corporal Todd Love with his new wheelchair. The wheelchair was purchased with money raised from the Rose City Roll fundraising event as well as the Drew University Prison Ball tournament. The Fire Department report for August includes 123 calls for service including 24 general alarms, 22 still alarms and 31 investigations. The Department provided fire extinguisher training to Resident Advisors at Drew University. Members of the FMBA provided a meal for seniors at the Rexford Tucker Apartments. The 2nd Annual Storytellers Festival will be held on Saturday, September 23rd, on Green Village Road.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Email dated August 20, 2017, from Michael Sorriano, Jr., of Woodland Road regarding Welcoming Community Resolution.

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Email dated August 21, 2017, from John Larkin of Elm Street regarding service on NJTransit.

Email dated August 30, 2017, from Ray Lauletti of Central Avenue regarding traffic calming measures on Central Avenue.

Email dated September 10, 2017, from Kathy Dailey of West End Avenue regarding Ordinance 35-2017.

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

08/11/2017-1 MAYOR'S WELLNESS CAMPAIGN

Members representing the State Mayor's Wellness Campaign addressed the Mayor and Council regarding upcoming programs including a fitness crawl in Madison on November 5th. Participants can visit various fitness centers to sample different forms of exercise and wellness. Preregistration is required. Information is available on the Borough's website.

08/11/2017-2 ENGINEERING DEPARTMENT PRESENTATION

Borough Engineer Robert Vogel provided a presentation on recent capital improvement projects, including 5.3 miles of roadway reconstruction, milling and overlay and 5 signal improvement projects, noting that these projects are 90% complete. Other projects include the North Street pump station improvement project, sewer evaluations and water main replacements. The Public Works yard improvements and the Library ceiling, lighting and roofing projects also continue.

08/11/2017-3 CY2017 BEST PRACTICES INVENTORY

Mr. Burnet provided an overview of the 2017 Best Practices inventory required to qualify for Fiscal Year 2018 State Aid. The one negative answer addresses the annual audit comment regarding segregation of duties.

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 August 14, 2017, 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 33-2017 ORDINANCE OF THE BOROUGH OF
MADISON APPROPRIATING \$50,000.00 FROM THE
GENERAL CAPITAL IMPROVEMENT FUND FOR THE**

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PURCHASE OF BODY CAMERAS FOR MADISON POLICE OFFICERS

WHEREAS, Police Chief Dachisen has recommended that the Borough appropriate \$50,000.00 from the General Capital Improvement Fund for the purchase of body cameras and related equipment for Madison Police officers; 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 \$50,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$50,000.00 from the General Capital Improvement Fund for the purchase of body cameras and related equipment for Madison Police officers.

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 \$50,000.00 is hereby appropriated from the General Capital Improvement Fund for the purchase of body cameras and related equipment for Madison Police officers.

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 33-2017. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 33-2017, which the Borough Clerk 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, Ms. Byrne

Nays: None

Absent: Mr. Landrigan

Mayor Conley declared Ordinance 33-2017 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 34-2017 ORDINANCE OF THE BOROUGH OF
MADISON APPROPRIATING \$65,000.00 FROM THE
GENERAL CAPITAL IMPROVEMENT FUND FOR POLICE
FIRING RANGE IMPROVEMENTS**

WHEREAS, Police Chief Dachisen has recommended that the Borough appropriate \$65,000.00 from the General Capital Improvement Fund for Police Firing Range Improvements; and

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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 \$65,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$65,000.00 from the General Capital Improvement Fund for Police Firing Range Improvements.

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

SECTION 1: The amount of \$65,000.00 is hereby appropriated from the General Capital Improvement Fund for Police Firing Range Improvements.

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 34-2017. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 34-2017, which the Borough Clerk 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, Ms. Byrne
Nays: None
Absent: Mr. Landrigan

Mayor Conley declared Ordinance 34-2017 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 35-2017 ORDINANCE OF THE BOROUGH OF
MADISON AMENDING CHAPTER 195 OF THE BOROUGH
CODE, LAND DEVELOPMENT ORDINANCE, REGARDING
CHANGE IN BUILDING OCCUPANCY AND USE**

WHEREAS, the Planning Board has recommended amending Chapter 195 of the Borough Code, the Madison Land Development Ordinance, in regard to a change in building occupancy and use; and

WHEREAS, the Borough Council has considered the proposed amendment to the Madison Land Development Ordinance and wishes to amend the Code as recommended.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 195 of the

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Borough Code entitled “Madison Land Development Ordinance” shall be amended as follows:

SECTION 1: Sections 195-20B(2) and Section 195-32.4F shall have the following added to them:

I. AMEND Section 195-20.B(2).

Zoning permit required for change of use, change of occupancy or change of ownership, as follows.

(2) Change in use or occupancy.

(a) A change in use or occupancy of a building or land **in all zoning districts except the CBD-1 Zone**, requires site plan approval if one or more of the following criteria is met as determined by the Zoning Officer or his designee:

[1] The previous use never received required site plan approval.

[2] The proposed use requires more off-street parking than the previous use based upon the parking requirements of this chapter.

[3] The proposed use has significantly different hours of operation than the previous use.

[4] The proposed use has different loading requirements that require deliveries by vehicles that exceed 30 feet in length.

[5] The proposed use involves the storage or handling of chemicals or hazardous substances.

[6] The proposed use will generate a greater amount of solid waste requiring one or more dumpsters to be stored outside.

(b) In determining whether the above criteria are met, the Zoning Officer or his designee may refer the matter to the Technical Coordinating Committee for review and recommendation.

(c) **In the CBD-1 Zone, a change in use or occupancy of a building or land requires site plan approval if one or more of the following criteria is met as determined by the Zoning Officer or his/her designee:**

[1] The proposed use requires more off-street parking than the previous use based upon the parking requirements of this chapter.

[2] The proposed use opens before 5am and is proposed to stay open past 11pm.

[3] The proposed use requires deliveries by vehicles that exceed 30 feet in length.

[4] The proposed use involves the storage or handling of chemicals or hazardous substances.

[5] The proposed use will require one or more new dumpsters to be stored outside.

II. AMEND Section 195-32.4F. CBD-1, CBD-2 Central Business District Zones regulations for off-street parking, as follows.

F. Off-street parking.

(1) Off-street parking requirements in the CBD-1 and CBD-2 Zones shall meet the nonresidential parking requirements set forth in the tables

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provided in Parking Schedule I in § 195-35, reduced by 20%, as well as the parking requirements for residential use as per the NJRSIS, except that on-street parking shall not be

counted towards the parking requirement. In evaluation of parking requirements, the reviewing board may consider demand management approaches, such as provision of carsharing, ridesharing and shuttles, and may further reduce the required parking by up to 10% based on documentation provided by an applicant outlining proposed demand management techniques.

(2) If there is a change in building occupancy (tenancy), but not use [as defined by § 195-20B(2), and no physical expansion is proposed, additional parking above what is already provided (on site, off site, or through a shared parking agreement) is not required and no parking variance is necessary.

(3) If there is a change in building occupancy and use (but not physical expansion), then the parking requirements are computed based on the difference between the parking required for the legally existing (prior) use versus the parking required for the new (proposed) use, provided there shall be no reduction in the amount of any existing on-site or designated off-site parking; however, further provided that retail uses with incidental accessory sales of food or beverage items (comprising less than 5% of total establishment revenue or less than 15% of establishment floor area), as well as specialty food establishments of less than 1,500 square feet that do not provide full meals for on-site or off-site consumption, may include up to eight seats for on-site consumption of such items without generating any additional off-street parking requirements in the CBD Zones.

(4) Parking requirements may be addressed in the CBD Zones through a shared parking approach between compatible uses either on or off tract. The off-tract parking shall be located within five blocks or 1,000 feet of the subject property. Documentation shall be provided to support the feasibility of shared parking, including an analysis of the uses sharing the parking and the peak usage periods for each, hours of operation of uses sharing the parking, and lot capacity (number of spaces) based on existing and proposed usage of the lot. A written contractual arrangement should be secured for a minimum two-year period, with a renewable option between parties.

(5) There shall be no minimum required off-street parking in the CBD-1 Zone for permitted ground floor non-residential uses with public street frontage or frontage on a municipal alley or municipal parking lot.

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

Mayor Conley opened up the public hearing on Ordinance 35-2017.

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Kathy Dailey; West End Avenue, raise concern regarding the purpose of the proposed ordinance and what properties it targets.

Ron Hendrickson; Green Avenue, asked how many downtown businesses received site plan approval and is removing that requirement fair.

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

Ms. Baillie moved that Ordinance 35-2017, which the Borough Clerk read by title, be finally adopted. Mrs. Vitale seconded the motion.

Ms. Baillie noted that the Planning and Zoning Boards have looked at amending these regulations for some time. Ms. Baillie also noted that the purpose of the proposed ordinance is to streamline the zoning process for small businesses while continuing to protect our downtown's desirability and character. All applications are still required to meet the non-residential parking requirements set forth in parking schedules 195-35(1).

There was no further Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Absent: Mr. Landrigan

Mayor Conley declared Ordinance 35-2017 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 36-2017 ORDINANCE OF THE BOROUGH OF
MADISON APPROPRIATING \$190,000.00 FROM THE
GENERAL CAPITAL IMPROVEMENT FUND FOR THE
PURCHASE OF A TWENTY TON TRUCK**

WHEREAS, the Director of Public Works has recommended that the Borough appropriate \$190,000.00 from the General Capital Improvement Fund to purchase a twenty ton truck with accessories for the Public Works Department; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$190,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$190,000.00 from the General Capital Improvement Fund to purchase a twenty ton truck with accessories for the Public Works Department.

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

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SECTION 1: The amount of \$190,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a twenty ton truck with accessories for the Public Works Department.

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

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

Mayor Conley opened up the public hearing on Ordinance 36-2017. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 36-2017, which the Borough Clerk 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, Ms. Byrne

Nays: None

Absent: Mr. Landrigan

Mayor Conley declared Ordinance 36-2017 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.

Claudine Berti; South Street, raise concern regarding DeFlaco Towing parking a tow truck on South Street for extended periods of time, noting that this issue is a quality of life issue and asked for a solution to this problem.

Kathy Dailey; West End Avenue, noted that in adopted Ordinance 35-2017 paragraphs were numbered incorrectly.

Denis Schreiber; Amelia Court, inquired about the upcoming Tax Sale discount rate.

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 September 25, 2017 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

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ORDINANCE 37-2017 ORDINANCE OF THE BOROUGH OF
MADISON AMENDING ORDINANCE 49-2013 REGARDING
CHAPTER 34 OF THE BOROUGH CODE ENTITLED “POLICE
DEPARTMENT”

WHEREAS, the Borough of Madison has permitted private businesses and other public entities to retain the services of off-duty police officers; and

WHEREAS, for the convenience of those private businesses and other public entities which utilize the services of off-duty law enforcement officers of the Borough of Madison Police Department and to authorize the outside employment of off-duty police officers , the Borough of Madison hereby establishes a policy regarding the use of off-duty police officers,

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Governing Body of the Borough of Madison, in the County of Morris, State of New Jersey, as follows:

1. Chapter 34 (Police Department) of the Code of the Borough of Madison is hereby revised to read as follows:

§34-20. Contracted Off-Duty Employment of Police Officers.

- A. Members of the Police Department shall be permitted to accept employment as safety or security personnel for private businesses or other public entities during off-duty hours, and at such times which will not interfere with the efficient performance of regularly scheduled or emergency duty for the Borough. The Borough’s needs for said police officers shall always take priority over scheduled off-duty work.
- B. If a private business or other public entity desires to contract with the Borough of Madison for the off-duty services of a police officer, said private business or public entity shall request the services through the office of the Chief of Police. To the extent that personnel are available, the Chief of Police or his/her designee may, but shall not be required to, assign a police officer to provide aforesaid off-duty services. The Chief of Police or his/her designee shall withhold approval if the off-duty services to be performed are inconsistent with the efficient operation and professionalism of the Police Department and/or unreasonably endangers or threatens the safety of the officer or officers who perform the work.
- C. The cost of the services to the Borough of Madison or other public entity shall be \$60.00 per hour for the officer(s), plus a \$20.00 per hour vehicle-use fee, administrative and insurance fee. All payments for the aforesaid services shall be made to the Borough of Madison. The Chief of Police is hereby authorized to establish such rules and regulations as are necessary to implement this section, including a bifurcated billing process to users.

Security in the Joint Municipal Court shall be paid at \$55.00 per hour to the officer(s) with no administrative, vehicle or insurance charges. In addition, security for the Atlantic Health Systems (AHS) shall be paid at the rate and upon the terms agreed between the PBA/SOA and AHS. The cost of services to the Board of Education, religious, charitable or Police Department -approved not-for-profit entities or events shall be sixty (\$60.00) dollars per hour with no administrative, vehicle or insurance charges. The Chief of Police or his designee shall set the

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administrative rate and whether same shall apply for each request for officers.

- D. All officers providing services under Section C above shall be paid a minimum of two (2) hours. When there is a cancellation without two (2) hour advanced notice the officer(s) shall be compensated two (2) hours.
- E. The cost of services to all other third parties shall be \$85.00 per/hr for the officer(s), plus a \$25.00 per/hr vehicle use fee, administrative fee and insurance fee. All officers shall be paid a minimum of four (4) hours. When there is a cancellation without two (2) hour advanced notice, the officer(s) shall be compensated four (4) hours.
- F. Any private business or other public entity requesting the services of an off-duty law enforcement officer shall estimate the number of hours such services are required, which estimate shall be approved, in writing, by the Chief of Police or his/her designee.
- G. Prior to posting any request for services of off-duty officers, the Chief of Police or his/her designee, shall verify that there are no outstanding charges for the private business or other public entity requesting services. No services shall be performed unless all charges for prior work have been paid.
- H. All requests for the services of off-duty law enforcement officers in the Borough of Madison Police Department for a period of one (1) week or longer shall be forwarded to the Chief of Police or his/her designee, at least ten (10) days before such services are required, whenever possible. Any officers, when so employed by the Borough, shall be treated as an employee of the Borough, provided, however, that wages earned for outside employment shall not be applied toward the pension benefits of law enforcement officers so employed nor shall hours worked for outside employment be considered in any way compensable as overtime.
- I. Any officer performing such details pursuant to this Ordinance shall be deemed on-duty and in the employ of the Borough for purposes including, but not limited to, workers' compensation.

This ordinance shall take effect upon adoption.

Ms. Byrne moved that Ordinance 37-2017, which the Borough Clerk read by title, be 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, Ms. Byrne

Nays: None

Absent: Mr. Landrigan

ORDINANCE 38-2017 ORDINANCE OF THE BOROUGH OF
MADISON APPROPRIATING \$950,000.00 FROM THE WATER
CAPITAL IMPROVEMENT FUND FOR THE 2017 CENTRAL
AVENUE WATER MAIN REPLACEMENT PROJECT

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WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$950,000.00 from the Water Capital Improvement Fund for construction of water main replacements and related work for the 2017 Central Avenue Water Main Replacement project; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Water Capital Improvement Fund in an amount not to exceed \$950,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$950,000.00 from the Water Capital Improvement Fund for construction of water main replacements and related work for the 2017 Central Avenue Water Main Replacement project; and

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

SECTION 1: The amount of \$950,000.00 is hereby appropriated from the Water Capital Improvement Fund for construction of water main replacements and related work for the 2017 Central Avenue Water Main Replacement 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.

Mrs. Vitale moved that Ordinance 38-2017, which the Borough Clerk read by title, be 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, Ms. Byrne

Nays: None

Absent: Mr. Landrigan

**ORDINANCE 39-2017 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 155 OF THE MADISON BOROUGH CODE
ENTITLED “SEWER” TO CLARIFY SEWER CONNECTIONS**

WHEREAS, the Borough Administrator has recommended that the Borough amend Chapter 155 of the Madison Borough Code entitled “Sewer” to clarify that private property owners are responsible for the cost of repairs and maintenance to connect to the Borough’s sewer main; and

WHEREAS, connection of the sewer lateral to the Borough’s sewer main is subject to inspection and supervision of the work by the Borough Engineer or his designee.

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

SECTION 1: 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. . .

B. Sewer connection expenses; responsibility for maintenance, repair and replacement of laterals.

(1) Subject to applicable law, whenever any of the work herein provided for is done, it shall be at the sole expense of the owner or owners of the structure or structures served by the sanitary lateral.

(2) Such owner or owners of the building(s) served by the sewer lateral shall also be responsible for the maintenance, repair and replacement of any lateral installed upon premises owned by him or them, or any other work done in connection therewith, from the structure all the way to the sewer main connection. Any maintenance, repair and/or replacement of a lateral shall be completed under the observation and with the prior approval of the Borough Engineer or his/her designee.

SECTION 2: This Ordinance shall take effect upon adoption.

Mrs. Vitale moved that Ordinance 39-2017, which the Borough Clerk read by title, be 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, Ms. Byrne

Nays: None

Absent: Mr. Landrigan

ORDINANCE 40-2017 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$30,000.00 FROM THE MUNICIPAL OPEN SPACE
TRUST FUND TO INSTALL A LACROSSE WALL AT THE MADISON
RECREATION CENTER

WHEREAS, the Open Space Advisory Committee has recommended funding up to \$30,000.00 from the Municipal Open Space Trust Fund for installation of a Lacrosse Wall at the Madison Recreation Center (MRC); and

WHEREAS, \$6,000.00 was donated for the lacrosse wall project by the Junior Lacrosse Club utilizing the MRC turf fields for their programs which was deposited into the Municipal Open Space Trust Fund; and

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WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the Municipal Open Space Trust Fund in an amount not to exceed \$30,000.00 for this purpose.

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 \$30,000.00 is hereby appropriated from the Municipal Open Space Trust Fund to install a Lacrosse Wall at the Madison Recreation Center.

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.

Ms. Baillie moved that Ordinance 40-2017, 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, Ms. Byrne

Nays: None

Absent: Mr. Landrigan

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

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

Mrs. Vitale moved adoption of the Resolutions listed on the Consent Agenda. Ms. Baillie 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, Ms. Byrne

Nays: None

Absent: Mr. Landrigan

R 229-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING NELSON D. JIMENEZ TO THE POSITION OF POLICE OFFICER

WHEREAS, the Madison Borough Chief of Police has recommended that Nelson D. Jimenez be appointed to the position of Police Officer in the Madison Police Department; and

WHEREAS, the Madison Borough Council, after due consideration, has determined to appoint Nelson D. Jimenez to the position of Police Officer in the Madison Police Department.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Nelson D. Jimenez hereby appointed to the position of Police Officer in the Madison Police Department effective upon his satisfactory graduation from the Morris County Police Academy in November 2017, to be compensated in accordance with the Police Benevolent Association Collective Bargaining Agreement. This appointment is subject to all terms and conditions of the attached executed conditional offer of employment dated August 28, 2017.

R 230-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING MICHAEL QUINN TO THE POSITION OF ASSISTANT CONSTRUCTION CODE OFFICIAL/ BUILDING SUBCODE OFFICIAL

WHEREAS, the Borough Administrator has recommended that Michael Quinn be appointed to the position of Assistant Construction Code Official/ Building Subcode Official effective immediately; and

WHEREAS, the Council has determined to appoint Michael Quinn to the position of Assistant Construction Code Official/ Building Subcode Official effective immediately.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County Morris and State of New Jersey that Michael Quinn is hereby appointed to the position of Assistant Construction Code Official/ Building Subcode Official effective immediately, to be compensated at a rate of \$48.00 per hour for up to 37.5 hours per week on a schedule determined by the Construction Code Official.

R 231-2017 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN ANTHONY TAGLIAFERRO AS AN INTERN IN THE FINANCE DEPARTMENT

WHEREAS, the Assistant Borough Administrator/CFO has recommended the appointment of Drew University Civic Scholar Anthony Tagliaferro, as a part-time unpaid Intern in the Finance Department; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the appointment of Anthony Tagliaferro, as a part-time unpaid Intern in the Finance Department, is hereby approved.

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R 232-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AMENDED EASEMENT AGREEMENT FOR THE PREMISES KNOWN AS BLOCK 1504, LOT 2, THE MUSEUM OF EARLY TRADES & CRAFTS

WHEREAS, the Museum of Early Trades & Crafts received a grant award from Morris County for the Phase 2A Moisture Mitigation project for Block 1801, Lot 21, 9 Main Street; and

WHEREAS, the Borough Council has determined to authorize the execution of an amended Easement Agreement with the County of Morris for the 2015 grant award to the Museum of Early Trades & Crafts.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute on behalf of the Borough of Madison an amended Easement Agreement with the County of Morris in a form approved by the Borough Attorney.

R 233-2017 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING POLICIES AND PROCEDURES FOR AND AUTHORIZING USE OF PROCUREMENT CARDS (P CARDS)

WHEREAS, the QPA/ Personnel Director has recommended the use of procurement cards for the purchase of certain goods and services as defined by NJ State law and recommends adopting policies and procedures for use of P-Cards; and

WHEREAS, the Borough Attorney has reviewed these recommendations; and

WHEREAS, the Borough Council has determined to adopt such recommendations; and

WHEREAS, the QPA/ Personnel Director will be the only authorized user of the P-Card.

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 the recommended policies and procedures for the use of Procurement Cards (P-Cards) as described herein are hereby adopted, and the Purchasing/Personnel Officer and CFO are authorized to execute an agreement with FIA Card Services, NJ Bank of America for card services.

R 234-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING NJDOT GRANT APPLICATION FOR THE MUNICIPAL BIKEWAY SYSTEM

WHEREAS, the Borough Engineer has recommended that the Borough submit a 2018 New Jersey Department of Transportation Bikeway Grant Application for funding to rehab, enhance and expand the municipal bikeway system; and

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WHEREAS, the bikeway project will include signage, striping and bike racks throughout the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that the Council formally approves the grant application for the above stated purpose and authorizes the Borough Engineer to submit an electronic grant application to NJDOT.

BE IT FURTHER RESOLVED that if the grant is approved the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Madison and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

R 235-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING \$250,000 NJDOT MUNICIPAL AID APPLICATION FOR GREENWOOD AVENUE ROAD RECONSTRUCTION PHASE II

WHEREAS, the Borough Engineer has recommended that the Borough submit a 2018 Municipal Aid Application to the New Jersey Department of Transportation for the Greenwood Avenue Road Phase II Reconstruction Project; and

WHEREAS, the Greenwood Avenue Road Reconstruction Phase II Project will comprise reconstruction of a heavily used collector road; and

WHEREAS, the Borough Engineer has determined that the reconstruction is urgently needed due to current road conditions and the need for curb and drainage structure.

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 the Borough formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Madison Borough-00088 to the New Jersey Department of Transportation on behalf of the Borough of Madison; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Madison and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

R 236-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY

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DEPARTMENT OF TRANSPORTATION FEDERAL-AID SAFE ROUTES TO TRANSIT PROGRAM BY THE BOROUGH OF MADISON

WHEREAS, the Borough Engineer has recommended that the Borough Council endorse a New Jersey Safe Routes to Transit (“SRTT”) Grant Application as described herein to be submitted to the New Jersey Department of Transportation; and

WHEREAS, the Borough Administrator has recommended that the Borough SRTT grant application in the amount of \$260,000 be filed for infrastructure-related improvements within two miles of Madison Train Station; and

WHEREAS, the recommendation has been considered at the Regular Public Meeting of the Borough Council and that the Council formally approves the application.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris and State of New Jersey, that the Borough Engineer is hereby authorized to submit an electronic grant application to NJDOT, file the above-described New Jersey Safe Routes to Transit (“SRTT”) Grant Application and the Mayor is authorized to sign the Grant application and possible grant agreement.

R 237-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RENEWAL OF A RENTAL AGREEMENT FOR USE OF A PORTION OF THE PUBLIC SAFETY COMPLEX BY THE AMERICAN AUTOMOBILE ASSOCIATION (AAA) FOR DEFENSIVE DRIVING INSTRUCTION

WHEREAS, the Madison Police Chief has recommended that the Borough Council authorize renewal of the rental agreement for the use of a portion of the Public Safety Complex for use by the American Automobile Association (AAA) for defensive driving instruction ; and

WHEREAS, the Borough Administrator recommends that the 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 the Administrator is hereby authorized to execute an addendum to renew an agreement for the American Automobile Association (AAA) to use a portion of the Public Safety Complex for defensive driving instruction.

R 238-2017 RESOLUTION OF THE BOROUGH OF MADISON PROCLAIMING SATURDAY, OCTOBER 7, 2017 AS BOTTLE HILL DAY AND AUTHORIZING BEER GARDEN

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WHEREAS, the Mayor and Council of the Borough of Madison have supported the celebration of Bottle Hill Day for the last thirty-nine 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.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that October 7, 2017 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. The location of the beer garden on Kings Road shall be determined by the Assistant Borough Administrator/CFO.

R 239-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE 2ND ANNUAL MADISON STORYTELLERS FESTIVAL

WHEREAS, the Downtown Development Commission has requested approval of the 2nd Annual Madison Storytellers Festival on September 16, 2017, and authorization of closing Green Village Road in front of the Museum of Early Trades and Crafts; and

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WHEREAS, with the consent of Morris County, Green Village Road would be closed from 10:00 a.m. to 6:00 p.m. between Main Street and Kings Road, with access maintained to the Waverly Green parking lot; and

WHEREAS, stores located in the James Building that front on Green Village Road shall be permitted to have merchandise for sale on the sidewalk in front of their stores while the road is closed; and

WHEREAS, the Police Department has approved the event with the use of Auxiliary officers.

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 Madison Storytellers Festival is approved subject to the safety requirements of the Madison Police Department.

2. The Madison Police Department is authorized to close Green Village Road between Main Street and Kings Road from 10:00 a.m. to 6:00 p.m. on September 16, 2017, in conjunction with the 2nd Annual Madison Storytellers Festival.

R 240-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF PUBLIC PARKING LOT NUMBER ONE BY THE ROTARY CLUB OF MADISON FOR A PUBLIC SHREDDING EVENT ON OCTOBER 21, 2017

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number one on Saturday, October 21, 2017, between the hours of 9:00 a.m. and 12:00 p.m. for a public shredding event; and

WHEREAS, the Borough Administrator has recommended that such permission be granted; and

WHEREAS, the Rotary Club has submitted a Special Event Permit Application to the Borough as well as 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 Rotary Club of Madison is hereby given permission to hold a public shredding event at Madison public parking lot number one, on October 21, 2017, between the hours of 9:00 a.m. and 12:00 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

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R 241-2017 RESOLUTION OF THE BOROUGH OF MADISON APPROVING TRANSFER OF 2017 LIVERY OWNER'S LICENSE FOR MADISON LIMOUSINE SERVICE

WHEREAS, any license issued for any taxicab or livery may be transferred to a substitute vehicle in accordance with the provisions of Chapter 173-7 of the Borough of Madison Code after approval of the Council and upon the payment to the Borough of a transfer fee of \$10.00 for each vehicle for which the license is to be transferred; and

WHEREAS, prior to the approval or disapproval by the Council of the transfer of the license to permit the operation of such substituted vehicle, the owner may operate such substituted vehicle or cause the same to be operated, subject to the other provisions of Chapter 173-7; and

WHEREAS, Madison Limousine Service has made application to transfer Livery Owner's License No. 2017-3 to a substitute vehicle and, at the same time, has provided proof of insurance and paid the appropriate transfer fee;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, to approve the license transfer request from Madison Limousine Service.

R 242-2017 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING A 2017 AFFORDABLE HOUSING REGIONAL INCOME LIMITS BY HOUSEHOLD SIZE SCHEDULE

WHEREAS, the Borough of Madison needs to adopt a schedule for determining the sale price of affordable housing units within the Borough of Madison; and

WHEREAS, the attached 2017 Affordable Housing Regional Income Limits by Household Size schedule was prepared by the Affordable Housing Professionals of New Jersey; and

WHEREAS, the Madison Borough Council, after due consideration, wishes to adopt the attached schedule.

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 attached schedule be adopted and used for determining the sale price of affordable housing units within the Borough of Madison.

R 243-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING CHRISTINE MAHLER TO THE POSITION OF DEPUTY TAX COLLECTOR

WHEREAS, the Assistant Borough Administrator/CFO recommends the appointment of Christine Mahler to the position of Deputy Tax Collector in the Tax Collection Department, effective immediately; and

WHEREAS, the Borough Council agrees with this recommendation.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that Christine Mahler is hereby appointed to the position of Deputy Tax Collector, effective immediately.

BE IT FURTHER RESOLVED, that she be compensated at a salary of \$55,000.00, effective immediately.

R 244-2017 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CHANGE ORDERS TO RAPID PUMP & METER SERVICE CO., INC FOR THE NORTH STREET PUMP STATION IMPROVEMENTS PROJECT

WHEREAS, the Borough Engineer has advised the Council that changes in project scope were encountered based on plans and specifications completed by Kleinfelder, Inc., for the project entitled 'North Street Pump Station Improvements'; and

WHEREAS, the Borough Engineer has recommended that based on said change orders, a payment to Rapid Pump & Meter Service Co., Inc. be made in the amount of \$88,993.10, which results in the appropriation total of \$785,683.10; and

WHEREAS, the Chief Financial Officer has attested that funds are available in Ordinances 24-2015 and 39-2016; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the change orders in the amount of \$88,993.10 to Rapid Pump & Meter Service Co., Inc. are hereby approved.

R 245-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING CARMELA COOKE TO THE POSITION OF SUBSTITUTE SENIOR CITIZEN VAN DRIVER

WHEREAS, the QPA/Personnel Director has recommended the appointment of Carmela Cooke to the position of part-time substitute Senior Citizen Van Driver.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, and State of New Jersey, that Carmela Cooke is hereby appointed to the position of part-time substitute Senior Citizen Van Driver.

BE IT FURTHER RESOLVED, that Carmela Cooke shall be compensated at a salary in the amount of \$15.60 per hour.

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R 246-2017 ITEM REMOVED AND THE # RETIRED

*R 247-2017, R 248-2017 AND R 249-2017 considered earlier under Greetings to the Public

R 250-2017 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING KATHLEEN NOTINE TO THE POSITION OF OFFICE ASSISTANT, PART-TIME IN THE FINANCE DEPARTMENT

WHEREAS, the Chief Financial Officer recommends the appointment of Kathleen Notine , to the position of Office Assistant, Part-Time in the Finance Department; and

WHEREAS, the 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, pending completion of a background check and approval from the Administrator and OPA/Personnel Officer, Kathleen Notine is hereby appointed to the position of Office Assistant, Part-Time in the Finance Department at an hourly rate of \$18.00 for up 29 hours per week, without benefits.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

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

Current Fund	\$6,129,587.30
General Capital Fund	250,849.05
Electric Operating Fund	954,743.00
Electric Capital Fund	52,634.00
Water Operating Fund	35,350.89
Water Capital Fund	4,100.00
Trusts	<u>649,303.04</u>
Total	<u>\$8,076,567.28</u>

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

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

Nays: None

Absent: Mr. Landrigan

NEW BUSINESS - None

ADJOURN

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

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Respectfully submitted,

Elizabeth Osborne

Borough Clerk

Approved September 25, 2017 (EO)