

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

September 16, 2015 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 16th day of September, 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:

James E. Burnet, Assistant Borough Administrator
Elizabeth Osborne, Borough Clerk
Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Landrigan moved:

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

MINUTES FOR APPROVAL (1)

August 10, 2015

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

CONTRACT MATTERS (4)

JACOB HENRY PERKINS TRUST FUND
MUSEUM OF EARLY TRADES AND CRAFTS
ELECTRIC PROCUREMENT
PUBLIC WIFI AND VIDEO CAMERAS

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

PERSONNEL MATTERS (5)
CFO RETIREMENT
CLASS II SPECIAL POLICE OFFICER
TAX COLLECTOR/CHIEF ACCOUNTANT
FINANCE ASSISTANT
HDM CUSTODIAN – P/T

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

LITIGATION MATTERS (1)

TAX APPEALS

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 August 10, 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 August 10, 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

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

EMPLOYEES OF THE MONTH:

Employees of the month for September are Stacy Dooley, Sandra Emmerich and Linda Sawyer for their commitment and dedication in working together to cover the vacancy in Finance Administration.

Mayor Conley presentation of bouquet of roses to recognize Sally Capone Silverman, who is leaving the *Madison Eagle*, noting from the day ten years ago when I was sworn in to fill the vacancy left by the sudden death of Jiggs Mantone to today as I wrap up my first term as Mayor, there was one constant, you were there to cover the news of the meeting. It just won't be the same without you in the front row. It was always a pleasure to work with you and I enjoyed your Tuesday

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morning follow-up calls. You are right on your comments about Madison; this is a special town with "overwhelming community spirit." This spirit comes from the residents, our elected officials, employees and the media, thank you for your role in making Madison such a great place.

Mayor Conley presented a proclamation to resident John Hoover in recognition of this service to the community.

***Proclamation
of the
Borough of Madison
Presented to
JOHN HOOVER
In Recognition of His Service to Madison***

Whereas, John Hoover, a very community-minded individual, is a longtime resident of the Borough of Madison; and

Whereas, an active member of the Rotary Club of Madison, John supports that organization's mission in many ways and truly lives up to its motto of Service above Self; and

Whereas, a member of the Madison Board of Health from 2008 until 2013, John served as the Board President from January 2012 to January 2013; and

Whereas, for two years, John also served on the Property Maintenance Emergency Committee; and

Whereas, in October 2014, he was appointed to the Senior Citizen Advisory Committee; and

Whereas, John was sworn in as a commissioner to the Downtown Development Commission in November 2014, became Secretary in January 2015 and served as the liaison to the Senior Citizens Advisory Committee; and

Whereas, a tremendous asset to the Downtown Development Commission, John was active in all volunteer opportunities especially on May Day and Bottle Hill Day and was a fixture at the Farmers' Market; and

Whereas, with his keen intelligence and no-nonsense style, he set a very high bar for all others and will be deeply missed;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, commend **John Hoover** for his dedication and service to the Borough of Madison and extend best wishes to him in all future endeavors.

PRESENTATION OF MAYOR'S CUPS

Managers in attendance were Bo Brownlee who managed the Junior Division Team. Coach Tom Hagerstrom, for Frank Bergin, who managed the Majors Division Team and Brian McGuire who managed the AAA Division. Team members were also present.

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OATH OF CLASS II SPECIAL POLICE OFFICER

R 249-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING
ADAM MICHAEL RILEY TO THE POSITION OF CLASS II SPECIAL POLICE
OFFICER IN THE MADISON POLICE DEPARTMENT

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

WHEREAS, the 2015 Police Operating budget contains funds for this purpose; and

WHEREAS, the Borough Council, after due consideration, has determined to appoint Adam Michael Riley to the position of Class II Special Police Officer in the Madison Police Department effective September 17, 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 Adam Michael Riley is hereby appointed to the position of Class II Special Police Officer in the Madison Police Department, effective September 17, 2015, to be compensated at the rate of \$20.00 per hour.

Mr. Catalanello moved approval of Resolution 249-2015. Ms. Baillie seconded the motion, which passed by unanimous voice vote.

Mayor Conley administered the oath of office to Special Police Officer Adam Riley.

REPORTS OF COMMITTEES

Community Affairs

Ms. Baillie, Chair of the Committee, made the following comments: Bottle Hill Day is scheduled for Saturday, October 3, 2015, including five stages of music and the annual Beer Garden open until 7:00 p.m. on Kings Road. 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. The Chamber of Commerce will hold Restaurant Week, October 11th through the 18th, with sixteen restaurants participating. Ms. Baillie also reported that Thomas Murphy, Esq. returned to discuss elder law matters including probate, trusts, wills and veterans status among other topics on Wednesday, September 10th. The lunch and program were co-sponsored by the Senior Citizens Advisory Committee and the Friends of the Madison Senior Center and the food was catered by Nicky's Firehouse. Forty-three people attended. The Friends of the Madison Senior Center are back to full strength with their recent fund raisers insert in the August electric bill raising approximately \$1,200.00.

Public Safety

Mr. Catalanello, Chair of the Committee, made the following comments: Members of the Madison Fire Department are participating in the National Stair Climb for Fallen Firefighters to honor those who died on September 11, 2001. Residents can donate on the Departments Facebook page. For the month of August the Fire Department reports response to 99 calls for assistance including a gasoline tanker accident on Rt. 24, an apartment electrical panel fire and six mulch fires.

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Utilities

Mrs. Vitale, Chair of the Committee, made the following comments:
The Electric Department has repaired damaged conduits and rewired the underground electrical feed for the Train Station post-lights. An infra-red thermal and acoustic emission testing has been completed at Kings Road & James Park substations. Repairs have begun on Bank 4A tap-changer control at the James Park substation and Asplundh Tree Service has completed a two year contract for line clearance. The Water Department reports water samples taken for State mandated testing and lead and copper testing has also been completed. There were 104 requests for locating and marking underground utilities for homeowners, contractors, other utilities. Mrs. Vitale reminded residents of voluntary water restrictions due to dry conditions.

Finance and Borough Clerk

Mr. Landrigan, Chair of the Committee, made the following comments:
Mr. Landrigan reported no issues with the collection of property taxes last month and noted that Department Heads have submitted their proposed budgets for 2016.

Health

Mr. Wolkowitz of the Committee made the following comments:
The Morris County Mosquito Commission conducts annual surveillance of mosquitoes that may carry the West Nile Virus. They advise that it is common this time of year to see an increase in West Nile virus positive mosquitoes throughout Morris County. Seasonal flu vaccine is recommended by Centers for Disease Control and Prevention (CDC) for everyone over the age of 6 months. The Health Department will hold a flu vaccine clinic on October 14th from 9:00 a.m. to 11:00 a.m.

Public Works and Engineering

Mr. Rowe, Chair of the Committee, made the following comments:
One day a week garbage begins next Monday, September 21st. Leaf collection begins October 26th and leaf bags will be available on October 19 at the Borough Garage for Madison residents. Cifelli Construction will mill and pave the first phase of the Ridgedale Avenue project between Central Avenue and Oxford Lane starting September 23rd. Announcements about road closings can be found on the Rosenet or via Madison Nixle alerts. Surveying work is taking place on Prospect and Greenwood Avenues for 2016's capital program. The basketball courts at Dodge Field will have the existing sports lights and stanchions replaced by Musco within the next month and the drainage improvement and natural turf replacement projects at Memorial Field will begin this fall as part of Open Space funded park improvements.

COMMUNICATIONS AND PETITIONS

None

INVITATION FOR DISCUSSION (1 of 2)

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

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

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AGENDA DISCUSSIONS

09/16/2015-1 NEW JERSEY TRANSIT TRAIN SERVICE

Mr. Wolkowitz explained that service on NJ Transit has been deteriorating this summer to a new level, noting Madison residents rely heavily on rail service. Mr. Wolkowitz provided a draft letter on behalf of the Council requesting a review of management operations to identify immediate steps to improve rail service. There was no objection to listing a resolution on the Consent Agenda and forwarding the letter to NJ Transit and designated representatives.

ADVERTISED HEARINGS-NONE

INVITATION FOR DISCUSSION (2 of 2)

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

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

Petra Schemmann, Central Avenue, raised concern regarding late 4th quarter tax bills, noting interest charged for a late payment.

Sharad Gupta, Buckingham Drive, commented on introduced Ordinance 49-2015, noting his concern for traffic and pedestrian safety.

Thomas Haralampoudis, Pomeroy Road, suggested Council look at an alternative to the MRC parking for Madison High School student overflow parking.

Madison Police Chief Dachisen stated that the MRC parking is the best alternative at this time.

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

The ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of October 14, 2015 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 ordinance will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

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

ORDINANCE 49-2015 ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 185-32 OF THE BOROUGH CODE TO INCLUDE TIME LIMIT RESTRICTIONS FOR PARKING ON BURNET ROAD, CANTERBURY ROAD, BUCKINGHAM DRIVE, AVON DRIVE AND TROY COURT

WHEREAS, the Madison Borough Police Department, due to public safety concerns, has recommended that Chapter 185-32 of the Borough Code be

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amended to limit parking time on the roads listed below on weekdays when Madison High School is in session:

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Location</u>
Burnet Road, Canterbury Road, Buckingham Drive, Avon Drive, Troy Court	Both	2 hour/weekdays when Madison High School is in session	Entire Length

WHEREAS, the Borough Council has determined that Chapter 185-32 of the Madison Borough Code entitled “Schedule IV: Time Limit Parking” should be amended in order implement these changes;

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

Section 1: Section 185-32 of the Code of the Borough of Madison entitled “Schedule IV: Time Limit Parking” shall be amended as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Location</u>
Burnet Road, Canterbury Road, Buckingham Drive, Avon Drive, Troy Court	Both	2 hour/weekdays when Madison High School is in session	Entire Length

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

Mr. Catalanello moved that Ordinance 49-2015, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

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.

Ms. Baillie moved adoption of the Resolutions listed on the Consent Agenda. Mr. Catalanello seconded the motion. Following Council discussion there was agreement to amend Resolution 267-2015, section #8 to include March 31, 2016. There was no

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further 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 250-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING LIEUTENANT JOSEPH CIRELLA TO THE POSITION OF ACTING CAPTAIN IN THE MADISON POLICE DEPARTMENT

WHEREAS, the Madison Borough Chief of Police has recommended that Lieutenant Joseph Cirella be appointed to the position of Acting Captain in the Madison Police Department; and

WHEREAS, the Madison Borough Council, after due consideration, has determined to appoint Lieutenant Joseph Cirella to the position of Acting Captain in the Madison Police Department; and

WHEREAS, subject to the terms of a Memorandum of Understanding executed with the PBA Superior Officers Local 92.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Lieutenant Joseph Cirella is hereby appointed to the position of Acting Captain in the Madison Police Department effective September 17, 2015, to be compensated at an annual salary of \$129,900.00.

R 251-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL NO. 92

WHEREAS, the Borough Administrator and Borough Attorney have recommended the execution of the attached Memorandum of Understanding with the Superior Officers Association PBA Local No. 92; 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 Mayor and Borough Clerk are authorized to execute the attached agreement between the Superior Officers Association PBA Local No. 92 and the Borough of Madison as described herein in a form approved by the Borough Attorney.

R 252-2015 RESOLUTION OF THE BOROUGH OF MADISON RENEWING LIQUOR LICENSES IN THE BOROUGH OF MADISON FOR THE 2015-2016 LICENSE TERM

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BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following applications for renewal of Liquor Licenses for the 2015 - 2016 license term be, and hereby are, approved:

CLUB LICENSE - FEE: \$180.00; July 1, 2015 through June 30, 2016

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

CONSUMPTION LICENSE – FEE \$2,386.00; July 1, 2015 through June 30, 2016

License # 1417-33-015-004
Prospect Tavern Beef & Ale Limited Liability Company
14 Prospect Street
Madison, NJ 07940

License #1417-33-018-009
U S Food and Beverage Corp.
Poor Herbies
13 Waverly Place
Madison, NJ 07940

DISTRIBUTION LICENSES - FEE: \$1,798.00; July 1, 2015 through June 30, 2016

License # 1417-44-016-005
Sagar Beverage, LLC
28 Phillip Dr.
Parsippany, NJ 07054

R 253 -2015 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING
RETIREMENT OF CHIEF FINANCIAL OFFICER ROBERT F. KALAFUT
EFFECTIVE JULY 1, 2016

WHEREAS, Robert F. Kalafut, Chief Financial Officer for the Borough of Madison, has advised the Borough in writing of his irrevocable retirement on July 1, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey, that the irrevocable retirement of Robert F. Kalafut as Chief Financial Officer, is hereby acknowledged and accepted with appreciation for his many years of public service.

R 254-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING
JACOB HENRY PERKINS TRUST DISBURSEMENT

WHEREAS, the Borough Administrator recommends a grant from the Jacob Henry Perkins Trust (hereafter Perkins Trust) on behalf of R. B., a Borough resident; and

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WHEREAS, the Borough Administrator has advised the Borough Council that R. B. meets the criteria for a Perkins Trust grant; and

WHEREAS, the Borough Council has determined to approve the request for a Perkins Trust grant in the amount of \$1,776.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that a grant is hereby approved from the Perkins Trust to pay a onetime rent in the amount of \$1,776.00, for the benefit of R. B. Said payment to be forwarded to the Madison Housing Authority for distribution.

R 255-2015 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING SALARY INCREASE TO CONFIDENTIAL EMPLOYEE KIMBERLY A. KIENTZ EXCLUDED FROM UNION PARTICIPATION

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

WHEREAS, Tax Collector/Chief Accountant Administrator Kimberly A. Kientz is eligible for such an increase.

WHEREAS, the Borough Council has determined to approve a \$1,000 salary increase for Kimberly A. Kientz, non-union confidential employee, effective July 1, 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 Borough Council ratifies and authorizes payment of a \$1,000.00 salary increase to Kimberly A. Kientz effective July 1, 2015.

R 256-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT OF THE 2013 AND 2014 TAX APPEALS ENTITLED MICHAEL SWEET ET AL V. MADISON BOROUGH, DOCKET NO. 007863-2013 AND 000582-2014 OF THE TAX ASSESSMENT OF BLOCK 4001, LOT 38, KNOWN AS 40 CROSS GATES, IN THE BOROUGH OF MADISON, MORRIS COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax year 2013 and 2014 involving 40 Cross Gates, Block 4001, Lot 38, has been filed by the Taxpayer, Michael Sweet 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

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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 2013 tax appeal is hereby authorized as follows:

40 Cross Gates
Block 4001, Lot 38
Year 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 892,500	N/A	\$ 892,500
Imprvts:	\$2,112,700	N/A	\$1,907,500
Total:	\$3,005,200	N/A	\$2,800,000

2. Settlement of the 2014 tax appeal is hereby authorized as follows:

40 Cross Gates
Block 4001, Lot 38
Year 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 892,500	N/A	\$ 892,500
Imprvts:	\$2,112,700	N/A	\$1,807,500
Total:	\$3,005,200	N/A	\$2,700,000

3. The parties further agree that the aggregate assessment for the subject property for the 2015 tax year was reduced to \$2,500,000.

4. 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 257-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT OF THE 2013 AND 2014 TAX APPEALS ENTITLED MICHAEL SWEET ET AL V. MADISON BOROUGH, DOCKET NO. 007862-2013 AND 000568-2014 OF THE TAX ASSESSMENT OF BLOCK 3802, LOT 39, KNOWN AS 80 POMEROY ROAD, IN THE BOROUGH OF MADISON, MORRIS COUNTY , NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax year 2013 and 2014 involving 80 Pomeroy Road, Block 3802, Lot 39, has been filed by the Taxpayer, Michael Sweet et al; and

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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 2013 tax appeal is hereby authorized as follows:

80 Pomeroy Road
Block 3802, Lot 39
Year 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 654,300	N/A	\$ 654,300
Imprvts:	\$2,013,200	N/A	\$1,845,700
Total:	\$2,667,500	N/A	\$2,500,000

2. Settlement of the 2014 tax appeal is hereby authorized as follows:

80 Pomeroy Road
Block 3802, Lot 39
Year 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 654,300	N/A	\$ 654,300
Imprvts:	\$2,013,200	N/A	\$1,745,700
Total:	\$2,667,500	N/A	\$2,400,000

3. The parties further agree that the aggregate assessment for the subject property for the 2015 tax year was reduced to \$2,300,000.

4. 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 258-2015 RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MADISON IN THE COUNTY OF MORRIS AUTHORIZING SETTLEMENT OF THE 2010, 2011, 2012, 2013 AND 2014 TAX APPEALS ENTITLED ADAM BERGER V. BOROUGH OF MADISON, DOCKET NOS.: 007364-2010, 003764-2011, 010531-2012, 008977-2013 AND 007606-2014 OF

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THE TAX ASSESSMENT OF BLOCK 4402, LOT 27.01, KNOWN AS 3 SHEPHERD LANE, IN THE BOROUGH OF MADISON, MORRIS COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2010, 2011, 2012, 2013 and 2014 involving Block 4402, Lot 27.01, has been filed by the Taxpayer, Adam Berger; 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 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 Borough of Madison, New Jersey, as follows:

1. Settlement of the 2010, tax appeal is hereby authorized as follows:

3 Shepherd Lane
Block 4402, Lot 27.01
Year: 2010

<u>Original Assessment</u> <u>Amount</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Land: \$542,700 \$542,700	N/A	
Imprvts: \$1,108,200 \$830,200	N/A	
Total: \$1,650,900 \$1,372,900	N/A	

2. Settlement of the 2011, tax appeal is hereby authorized as follows:

3 Shepherd Lane
Block 4402, Lot 27.01
Year: 2011

<u>Original Assessment</u> <u>Amount</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Land: \$542,700 \$542,700	N/A	
Imprvts: \$1,108,200 \$846,300	N/A	
Total: \$1,650,900 \$1,389,000	N/A	

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

3 Shepherd Lane
Block 4402, Lot 27.01

Year: 2012

<u>Original Assessment</u> <u>Amount</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Land: \$542,700 \$542,700	N/A	
Imprvts: \$1,108,200 \$868,900	N/A	
Total: \$1,650,900 \$1,411,600	N/A	

4. Settlement of the 2013, tax appeal is hereby authorized as follows:

3 Shepherd Lane
Block 4402, Lot 27.01

Year: 2013

<u>Original Assessment</u> <u>Amount</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Land: \$746,700 \$746,700	N/A	
Imprvts: \$1,323,100 \$1,323,100	N/A	
Total: \$2,069,800 \$2,069,800	N/A	

5. Settlement of the 2014, tax appeal is hereby authorized as follows:

3 Shepherd Lane
Block 4402, Lot 27.01

Year: 2014

<u>Original Assessment</u> <u>Amount</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Land: \$746,700 \$746,700	N/A	
Imprvts: \$1,323,100 \$1,323,100	N/A	
Total: \$2,069,800 \$2,069,800	N/A	

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

R 259-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING SETTLEMENT OF THE 2015 TAX APPEAL ENTITLED JONATHAN RUBIO V. MADISON BOROUGH, DOCKET NO. :008261-2015 OF THE TAX ASSESSMENT OF BLOCK 4804, LOT 30, KNOWN AS 69 UNION HILL ROAD, IN THE BOROUGH OF MADISON, MORRIS COUNTY NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax year 2015 involving Block 4804, Lot 30, has been filed by the Taxpayer, Jonathan Rubio; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Attorney; and

WHEREAS, settlement of said matter is 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 2015 tax appeal is hereby authorized as follows:

69 Union Hill Road
Block 4804, Lot 30
Year 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$580,200	N/A	\$580,200
Imprvts:	\$460,200	N/A	\$369,800
Total:	\$1,040,400	N/A	\$950,000

2. 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 260-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING KEVIN J. O'KEEFE TO THE POSITION OF CONFIDENTIAL SECRETARY IN THE FINANCE DEPARTMENT

WHEREAS, the Borough Administrator recommends the appointment of Kevin J. O'Keefe to fill the position of Confidential Secretary in the Finance Department effective immediately; and,

WHEREAS, the Council concurs 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 Kevin J. O’Keefe is hereby appointed to the position of Confidential Secretary in the Finance Department effective September 17, 2015; and

BE IT FURTHER RESOLVED that Mr. O’Keefe be compensated at the annual salary of \$46,000.00.

R 261-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AMENDMENT TO THE LEASE AGREEMENT WITH MUSEUM OF EARLY TRADES AND CRAFTS

WHEREAS, on December 10, 2010, the Borough of Madison (the “BOROUGH”) entered into a Lease with Museum of Early Trades and Crafts (“METC”) to allow the use of the James Library Building, on the premises located at 9 Main Street, in the Borough of Madison; and

WHEREAS, the BOROUGH and the METC have agreed to further modify Article Four (4) of the Lease to include the attached amendment to help maintain the facility.

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 authorized to execute the Amendment to the Lease Agreement as described herein with Museum of Early Trades and Crafts, in a form approved by the Borough Attorney.

R 262-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING THERESA GIORDANO TO THE POSITION OF CROSSING GUARD

WHEREAS, the Chief of Police has recommended appointing Theresa Giordano to the position of Crossing Guard; and

WHEREAS, the Chief Financial Officer has attested that funds are available for this purpose in the 2015 Police Department Budget # 240, Operating Account for Part-time Help # 130.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that upon satisfactory completion of a background check Theresa Giordano be appointed to the position of Crossing Guard for the Borough of Madison for the school year commencing upon the effective date of this resolution and ending June 17, 2016, unless the school year is extended due to winter weather closings

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BE IT FURTHER RESOLVED, that Theresa Giordano be compensated in accordance with the Borough Resolution establishing the salary for part-time, school crossing guards.

R 263-2015 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING THE ROTARY CLUB OF MADISON CLUB GRANT IN THE AMOUNT OF \$250.00 FOR THE WETLANDS RECONSTRUCTION

WHEREAS, the Borough of Madison has received a grant award from the Rotary Club of Madison in the amount of \$250.00 for the Madison Recreation Center Wetlands Restoration project; and

WHEREAS, the Borough Council has determined that it would be in the best interest of the Borough to accept the Rotary Club grant to assist in the Madison Recreation Center Wetlands Restoration project; and

WHEREAS, the Acting CFO has recommended that the funds be deposited in the Open Space Trust Fund Account.

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

1. The Borough gratefully acknowledges and accepts the Rotary Club of Madison Grant funds in the amount of \$250.00.
2. The Borough thanks the Rotary Club of Madison for its continued support.
3. The Borough Council approves the release of these funds to assist the Madison Recreation Center Wetland Restoration project.

R 264-2015 RESOLUTION OF THE BOROUGH OF MADISON RATIFYING APPOINTMENT OF INTERN ALEXANDRA KEMPER, IMELDA REINER AND ALEX SMITH TO INTERN POSITIONS IN THE BUILDING AND ADMINISTRATION DEPARTMENTS

WHEREAS, the Assistant Borough Administrator has recommended the appointment of Drew University Civic Scholars Alexandra Kemper, Imelda Reiner and Alex Smith as part-time Interns in the Building and Administration Departments, at no compensation; 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 Alexandra Kemper, Imelda Reiner and Alex Smith as part-time Interns in the Building and Administration Departments, at no compensation, is hereby approved.

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R 265-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A SPECIAL EVENT PERMIT TO ALLOW THE USE OF PUBLIC PARKING LOT NUMBER TWO BY THE ROTARY CLUB OF MADISON FOR A PUBLIC SHREDDING EVENT ON OCTOBER 17, 2015

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number two on Saturday, October 15, 2015, between the hours of 10:00 a.m. and 1:00 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 two, on October 15, 2015, between the hours of 10:00 a.m. and 1:00 p.m. and subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 266-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING DREW UNIVERSITY TO HOST A FIREWORKS DISPLAY ON SATURDAY, OCTOBER 3, 2015

WHEREAS, the Director of Student Activities at Drew University has applied for permission to hold a fireworks display on Saturday, October 3, 2015, on the grounds of Drew University; and

WHEREAS, the Borough Council has determined that such permission should be granted subject to the following conditions:

1. The display shall be in compliance with all laws and regulations governing a fireworks display;
2. A permit must be obtained from the Fire Official of Madison ensuring all applicable Fire Code requirements are met;
3. Adequate police or security personnel shall be present for crowd control and to ensure the area surrounding the fireworks is secured from unauthorized public entry;
4. The Fire Department shall be present with adequate personnel to maintain a fire watch for the duration of the event;

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5. The display shall terminate by 11:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey that the request by Drew University to hold a fireworks display on Saturday, October 3, 2015, is hereby granted and approved subject to the above noted conditions.

R 267-2015 RESOLUTION OF THE BOROUGH OF MADISON ADOPTING RECOMMENDATIONS OF THE STRATEGIC PLANNING COMMITTEE ON THE UTILITIES

WHEREAS, the Madison governing body previously authorized a comprehensive Strategic Planning process for the Borough of Madison concentrated on the areas of the municipal budget, capital budget, operations/communications and utilities; and

WHEREAS, the Strategic Planning Committee on the Utilities was appointed consisting of dedicated resident volunteers with staff support from Borough Administration; and

WHEREAS, the Committee was charged with reviewing the electric and water utilities and preparing a report for the current and future Borough Councils that would include observations and recommendations in the form of general guidelines and “Best Practices” with particular emphasis on pricing and surplus generation; and

WHEREAS, the Committee has prepared the following recommendations to provide on-going guidance to the Borough Council and administration in their operation of the electric and water utilities.

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 utilities shall continue to emphasize and where possible take steps to improve on their record of reliability. To this end, the electric utility Department Head will develop and maintain a computer-generated database on utility outages. (There is no comparable metric for the Water Department.)
- (2) The Department Head for the electric utility will also calculate the System Average Interruption Duration Index (SAIDI) of reliability and report the results of this calculation as part of the Department Head's annual report to the Council, which is part of the budget process.
- (3) When the analyses of capital requirements of the utilities that are currently underway, are completed and adopted by the Borough Council,

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the Department Heads will prepare a planned investment and maintenance schedule for the capital assets of the utilities. This plan will be implemented at the first possible budget cycle and become part of the utilities' annual budget reports to Council.

- (4) The CFO will annually prepare a comparison of Madison's utility rates to those of New Jersey municipalities that own their utilities as well as the major investor owned utilities that operate in New Jersey. The CFO will also prepare a rate comparison of those municipalities that, like Madison, own their utilities with an objective of generating surplus to be transferred to the municipal budget. The results of these comparisons should be reported annually to Council prior to January 31st.
- (5) The CFO should also prepare with the assistance of Department Heads, guidelines on working capital and contingencies. The amount of surplus to be transferred should be consistent with these guidelines, and also those prepared by the Strategic Planning Committee for the Municipal Budget. As part of the annual budget cycle, the CFO will continue the recently introduced practice of forecasting utility surplus for the current budget cycle and at least two future budgets.
- (6) The utilities should prepare annual and quarterly financial reports in order to enhance both financial management of the utilities and surplus generation. The annual report will be presented to Council as part of the Department Heads annual budget presentations.
- (7) All above-mentioned reports will be made publicly available by being posted on Rosenet in a timely manner.
- (8) The Utility Advisory Committee, working with Department Heads and appropriate members of the Administration should investigate and make recommendations to Council.
 - Smart Meters with particular consideration of their usefulness and value in immediate reporting of outages, calculating SAIDI, and implementing time of use billing with recommendations to Council no later than March 31, 2016.
 - Self-generation opportunities for peak shaving and backup, with recommendations to Council no later than June 31, 2016.
 - Updated billing software to facilitate electronic billing to add to available payment options, and for payment tracking, with recommendations to Council no later than March 31, 2016.

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- (9) The Utility Advisory Committee has a standing role for the oversight of Committee Recommendations.

The Borough's Administrative team will report back to the Council by no later than the end of calendar year 2015 with an electric procurement policy.

R 268-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ENTRY INTO LICENSE AGREEMENT FOR USE OF WALKSAFE® TRADEMARK WITH THE UNIVERSITY OF MIAMI

WHEREAS, the Police Chief and the Borough Attorney have recommended that the Borough enter into a License Agreement with the University of Miami for use of the WalkSafe® trademark at no cost to the Borough; and

WHEREAS, the Council has determined that such lease agreement would be beneficial to 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 Madison Police Chief Darren Dachisen is hereby authorized to execute the attached agreement with the University of Miami on behalf of the Borough of Madison.

R 269-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATION FOR LIVERY DRIVER'S PERMIT FOR TRAVELERS TAXI & LIMOUSINE, LLC FOR 2015

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following livery driver's permit be approved for the year 2015:

<u>LICENSE NO.</u>	<u>DRIVER</u>
15-6D	John J. Patrisco, Jr. Travelers Taxi & Limousine, LLC

R 270-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING APPLICATION OF LIVERY OWNERS LICENSE FOR TRAVELERS TAXI & LIMOUSINE, LLC FOR 2015

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owners License application be approved for the year 2015:

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicle</u>
15-22L	John J. Patrisco, Jr. Travelers Taxi & Limousine, LLC,	1 Livery 31 Kings Road, Madison

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R 271-2015 RESOLUTION OF THE BOROUGH OF MADISON GRANTING THE “TIE ONE ON” CAMPAIGN PERMISSION TO PUBLICIZE OCTOBER AS BREAST CANCER AWARENESS MONTH

WHEREAS, Gretchen Coviello on behalf of “Tie One On” Team ID# 6002517 has requested permission to decorate Waverly Place and tie pink ribbons on Borough street trees from October 1, 2015, to October 31, 2015, in support of their “Tie One On” campaign to fight breast cancer and raise awareness during “Breast Cancer Awareness Month;” and

WHEREAS, the Borough Council has determined to grant this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request to decorate Waverly Place and tie pink ribbons on Borough street trees from October 1, 2015, to October 31, 2015, in support of the “Tie One On” campaign to fight breast cancer and raise awareness during “Breast Cancer Awareness Month” is hereby approved with the understanding that the ribbons will be removed by organizers of the program no later than November 6, 2015.

R 272-2015 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING RODGER BRUCE HEESEMANN TO THE POSITION OF CUSTODIAN, PART-TIME

WHEREAS, the Borough Administrator recommends the appointment of Rodger Bruce Heesemann to the position of Custodian, Part-Time, effective September 17, 2015, upon satisfactory completion of a background check; 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 Rodger Bruce Heesemann is hereby appointed to the position of Custodian, Part-Time effective September 17, 2015, upon satisfactory completion of a background check, at an hourly rate of \$20.00 for 20 hours per week.

R 273-2015 RESOLUTION EXPRESSING CONCERN ABOUT THE POOR QUALITY OF RAIL SERVICE TO NEW YORK CITY PROVIDED BY NEW JERSEY TRANSIT/AMTRAK

WHEREAS, train service on the Midtown Direct line to New York City provided by New Jersey Transit (NJT) has been marked by fare increases accompanied by long delays and consistently inferior service; and

WHEREAS, there has been a serious lack of investment in the transportation

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infrastructure owned and operated by NJT; and

WHEREAS, there has been no major upgrades or repairs to the tunnels shared by NJT and Amtrak into New York City; and

WHEREAS, the Transportation Trust Fund has been depleted with no current plan to identify a funding mechanism to replenish it; and

WHEREAS, the NJT and Amtrak managements have not addressed the obvious needs of a failing transportation system serving the metropolitan New York area.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Madison, in the County of Morris and State of New Jersey is requesting a review of NJT/Amtrak management operations to identify immediate steps to improve rail service into New York City; and

BE IT FURTHER RESOLVED, that a copy of this Resolution with attachment be forwarded to the U.S. Secretary of Transportation, the N.J. Commissioner of Transportation, U.S. Senator Cory Booker, U.S. Senator Robert Menendez, Congressman Rodney Frelinghuysen, Senator Richard J. Codey, Assemblyman John McKeon, Assemblywoman Mila Jasey and the elected officials of all towns with Midtown Direct service to New York City.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Catalanello, 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.

Public Safety	\$124,329.78
Health & Public Assistance	11,483.45
Public Works & Engineering	497,280.47
Community Affairs	19,917.81
Finance & Borough Clerk	4,148,383.40
Utilities	<u>1,391,841.57</u>
Total	<u>\$6,193,236.48</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:

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ZONING BOARD OF ADJUSTMENT

Helen Kaar – Alternate member #1, unexpired term (Hess) through December 31, 2015.

Mary Sue Salko, – Alternate member #2, unexpired term (Kaar) through December 31, 2016.

Mr. Rowe moved approval of the foregoing appointments, seconded by Mrs. Vitale and passed by the following roll call vote recorded:

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

Nays: None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved October 26, 2015 (EO)