

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

September 26, 2016 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 26th day of September, 2016. 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, 2016. This Notice was made available to members of the general public.”

ROLL CALL

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

Mayor Robert H. Conley

Council Members:

Robert G. Catalanello
Robert Landrigan
Carmela Vitale
Astri J. Baillie
Benjamin Wolkowitz
Patrick W. Rowe

Also Present:

Raymond M. Codey, Borough Administrator
Elizabeth Osborne, Borough Clerk
John Napolitano, Esq., for Matthew J. Giacobbe, Esq. Borough Attorney
Absent: James E. Burnet, Assistant Borough Administrator, excused

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Wolkowitz moved:

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

MINUTES FOR APPROVAL (1)

September 12, 2016

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

CONTRACT MATTERS (3)

ROUTE 23 AUTO MALL

JOINT MEETING BYLAWS

VICTORIAN LIGHT FIXTURES AND LAMP POSTS

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

POTENTIAL LITIGATION MATTERS (1)

ROCK-GW, LLC

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

LITIGATION MATTERS (1)

BOARD OF HEALTH

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

PERSONNEL MATTERS (2)

WATER DEPARTMENT VACANCY

TAX COLLECTOR

Date of public disclosure 90 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

Mr. Rowe moved approval of the **Executive Minutes of September 12, 2016**. Mr. Wolkowitz 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

Mr. Rowe moved approval of the **Regular Meeting Minutes of September 12, 2016**. Ms. Baillie 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:

Mayor Conley thanked Mr. Wolkowitz for standing in at the last Council meeting in the Mayor's absence. Mayor Conley noted that a discussion regarding electric utility rates will take place at the October 24, 2016 Council meeting.

PROCLAMATIONS:

Mayor Conley presented a proclamation proclaiming a Month of Shakespeare at Drew University October 2016 to Dean Christopher Taylor of Drew University and Brian Crowe of the Shakespeare Theatre of New Jersey.

Mayor Conley also presented a proclamation proclaiming World Mental Health Day to Lisa Sprague.

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Mayor Conley noted a proclamation recognizing the 120th Anniversary of the First Baptist Church of Madison.

REPORTS OF COMMITTEES

Utilities

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

Mr. Wolkowitz noted recent concerns regarding a report of high levels of chromium 6 in drinking water in several New Jersey municipalities. Mr. Wolkowitz noted that chromium 6 is a natural substance. In this case, it is important to understand the difference between mg/L versus ppb (mg/l is milligrams per liter and ppb is parts per billion). One part per billion is the equivalent of one second in every 32 years. The United States Environmental Protection Agency (USEPA) regulates total chromium in drinking water and has set a 'Maximum Contaminant Level' (MCL) of 0.1 mg/L (milligrams per liter), or 100 ppb (parts per billion). Madison's most recent water test showed total chromium levels of 1.44 ppb, well below the universal standard.

Health

Mr. Catalanello, Chair of the Committee, no report.

Finance and Borough Clerk

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

Mr. Landrigan read a letter received September 20, 2016 from the New Jersey Municipal Management Association President Robert Hoffman, congratulating the Borough of Madison as one of sixteen municipalities in New Jersey to attain a AAA rating from Standard & Poor's.

Public Safety

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

The Madison Police Department will be hosting "Coffee with a Cop" on Friday, October 7th at the Waverly Restaurant, 14 Waverly Place from 8:30 a.m. First Responder Appreciation Day, sponsored by the Police, Fire and Volunteer Ambulance Squad will be held Sunday, October 16th from 10:00 a.m. to 5:00 p.m. at the Public Safety Complex, 62 Kings Road. PO Sean McCarthy will be honored along with other servicemen by Morris County Clerk Ann Grossi and Sheriff Edward Rochford on Thursday, October 6th at the Frelinghuysen Arboretum.

Community Affairs

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

The Madison Chamber of Commerce will hold annual fire extinguisher inspection services on Tuesday, October 4th from 12:00 to 4:00 p.m. on the corner of Central Avenue and Main Street. The Downtown Development Commission continues the Farmer's Market until October 13th and Bottle Hill Day is Saturday, October 1st. Senior opinions have been much in demand this summer with the Grotta grant survey focusing on transportation, housing, communication, health and community assets and needs. The results will be reviewed to develop achievable and sustainable projects. TransOptions, the non-profit transportation group, surveyed area seniors to determine shifting transportation needs due to health, family, isolation, transit availability and cost. The results will be reviewed by the North Jersey Transportation Planning Authority and NJ Transit for use in updating a coordinated regional transportation plans. The Friends group annual electric bill insert, funded by the Friends, features statistics on services and activities as well as an appeal for donations and to date over \$1,500.00 has been collected. New promotional items and posters will be displayed at The Friends tent on Waverly

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Place on Bottle Hill Day. A Senior Center Open House will be held on Saturday, October 22nd, including tours, demonstrations, and refreshments from 10:00 a.m. to 2:00 p.m.

Public Works and Engineering

Mr. Rowe, Chair of the Committee, made the following comments:
Cifelli & Sons Construction has been working on punch list items for the 2016 Road Reconstruction work with topsoil and seed placed today. Cifelli & Sons Construction started the Prospect Street Reconstruction project today. Micropave, Inc. continued crack sealing contract work on Woodland Road. Garfield Avenue is now complete. The proposed Central Avenue improvements project will be presented at an informal meeting, prior to the Council meeting of October 13th at 6:00 pm. North Street Pump Station bid opening was successful and an award to the apparent low bidder is listed on the Consent Agenda. Leaf bags will be available beginning October 10th and leaf pick up starts October 24, 2016. The Borough is back on one day a week garbage pick-up.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

E-mail received September 14, 2016 from Carlene Pruitt of Main Street of regarding the grand opening of Jolie.

E-mail received September 18, 2016 from Brenton Saunders, CEO and President of Allergan regarding a special event on October 5, 2016 at Giralda Farms.

Letter received September 20, 2016 from Robert S. Hoffmann, President of the NJ Municipal Management Association recognizing that Madison is one of only 16 towns in New Jersey with a AAA credit rating from Standard & Poor's.

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

09/26/2016-1 MUSEUM OF EARLY TRADES & CRAFTS BUILDING PROJECT
Museum Director Deborah Starker provided an update on the reconstruction projects at the James Building, noting that Morris County Historic Preservation has cut funding by 50%. Mrs. Starker also noted that restoration to date has addressed the water issue and finials. The next large item is to repair the roof.

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

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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.

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 October 13, 2016 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:

ORDINANCE 60-2016 ORDINANCE OF THE BOROUGH OF
MADISON AMENDING CHAPTER 34 OF THE BOROUGH
CODE TO CREATE THE POSITION OF POLICE CHAPLAIN
FOR THE MADISON POLICE DEPARTMENT

WHEREAS, statutory authority provides that the governing body of the Borough of Madison by Ordinance may create the appointment of one or more Chaplains to the Police Department; and

WHEREAS, Police Chaplains serve an integral role in providing comfort to members of the Police Department as well as the public and aid in community policing; and

WHEREAS, the Borough Council finds it is in the best interest of the Borough of Madison to create the position of Police Chaplain.

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 34 of the Borough Code entitled "Police Department" shall be amended as follows:

SECTION 1: Section 34-11 (b) entitled "Police Chaplain" is hereby established to read as follows:

1. **Position Created.** The position of Police Chaplain for the Borough of Madison Police Department is hereby created in accordance with statutory authority. The position(s) will be a volunteer position. The position of Chaplain shall be under the control of the Chief of Police.
2. **Qualifications.** Any person appointed as Chaplain shall be an ordained clergyman in good standing in the religious body from which he/she is selected. The chaplain shall have basic training and shall be a certified

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Police Chaplain credentialed in accordance with the rules and regulations of the Borough of Madison Police Department and shall be qualified in accordance with statutory requirements.

3. **Duties of Police Chaplain.** The Duties of Police Chaplain shall include, but not be limited to assisting the Borough of Madison Police Department in death notifications, station house adjustments and any other duties that may be assigned by the Chief of Police.
4. **Rank and Salary.** Any person appointed as Chaplain shall serve in that capacity without Rank or Salary
5. **Term of Office.** A person (s) appointed as Chaplain shall serve for a period of one (1) year from the date of appointment and shall continue to serve in that capacity until he/she is either terminated or reappointed with the recommendation of the Chief of Police regarding the appointment of the Chaplain. The Mayor shall appoint the Chaplains in accordance with this Ordinance with the advice and consent of the Borough Council.

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

Mrs. Vitale moved that Ordinance 60-2016, 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. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe
Nays: None

ORDINANCE 61-2016 AN ORDINANCE OF THE BOROUGH OF MADISON, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER A238 ENTITLED 'MADISON-CHATHAM JOINT MEETING'

WHEREAS, the Madison-Chatham Joint Meeting recently amended its bylaws; and

WHEREAS, the Mayor and Borough Council of the Borough of Madison wish to amend Chapter A238 of the Borough Code entitled "Madison-Chatham Joint Meeting" consistent with the amended bylaws.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Madison, in the County of Morris, New Jersey that:

Section 1. Chapter A238 is hereby amended as follows:

§A238-1 through 5 - No change.

§A238-6 through 35 - Delete.

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§A238-36 through 39- Renumber to A238-10 through 13

Add new.

§A238-6. Meetings.

The Joint Meeting shall hold meetings in accordance with the Open Public Meetings Act, P.L. 1975, Chapter 231 (N.J.S.A. 10:4-6 et seq.), and any amendments thereto, and as authorized in the Joint Meeting bylaws.

§A238-7. Standing Committees.

The Joint Meeting may establish such Standing Committees as necessary to provide for the effective and efficient governance of the Joint Meeting, and to make recommendations to, and act on behalf of, the Joint Meeting to the extent set forth in the Joint Meeting bylaws.

§A238-8. Special Committees.

The Joint Meeting Chair may appoint such other Special Committees at any time as necessary to provide for the effective and efficient governance of the Joint Meeting, and to make recommendations to, and act on behalf of, the Joint Meeting to the extent set forth in the Joint Meeting by laws.

§A238-9. Bylaws.

The Joint Meeting may adopt, and from time to time amend, bylaws and other rules of operation.

Section 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 4. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

Mrs. Vitale moved that Ordinance 61-2016, 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. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any

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Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

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

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

Nays: None

R 270-2016 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 15, 2016

WHEREAS, the Rotary Club of Madison has requested permission to use public parking lot number one on Saturday, October 15, 2016, between the hours of 8:00 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 one, on October 15, 2016, between the hours of 8:00 a.m. and 1:00 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 271-2016 A RESOLUTION OF THE BOROUGH OF MADISON AMENDING THE BOROUGH'S PERSONNEL POLICIES AND PROCEDURES MANUAL IN COMPLIANCE WITH THE NEW JERSEY MEL'S 2017-2018 EMPLOYMENT PRACTICES RISK CONTROL PROGRAM

WHEREAS, the New Jersey Municipal Excess Liability Joint Insurance Fund ("MEL") has established an employment practices risk control program ("incentive program") for its member municipalities; and

WHEREAS, the incentive program requires member municipalities to adopt the MEL's model employment practices risk control program in order to be eligible for premium and deductible incentives; and

WHEREAS, in order to be eligible for the MEL's premium and deductible incentives, the Borough of Madison must adopt all of the required policies contained in the MEL's Model Personnel Policies and Procedures Manual; and

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WHEREAS, the Borough Council has determined to adopt all of the MEL's required policies and to include same in the Borough of Madison Personnel Policies and Procedures Manual; and

WHEREAS, many of the Borough's Personnel Policies and Procedures already comply with the MEL's requirements and, as such, only certain policies must be updated; and

WHEREAS, the Borough Council has also determined to amend other policies contained in the Personnel Policies and Procedures Manual.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that the following sections of the Personnel Policies and Procedures Manual be updated and are hereby adopted, as of September 12, 2016, to comply with the MEL's Model Personnel Policies and Procedures:

Section 1: Employees Rights and Obligations;

- a. Anti-Discrimination Policy;
- b. Americans with Disabilities Act Policy;
- c. General Anti-Harassment Policy;
- d. Anti-Sexual Harassment Policy;
- e. "Whistleblower" Policy;
- f. Employee Complaint Policy;
- g. Access to Personnel Files Policy;
- h. Driver's License Policy;

Section 2: Workplace Policies;

- a. Email, Voicemail, Computer, and Internet Usage Policy;
- b. Communication Media Policy;

Section 3: Paid and Unpaid Time Off Policies;

- a. Leave of Absence Policy;
- b. Family and Medical Leave Policy;
- c. Domestic Violence Leave Policy;

Section 5: Management/Supervisor Procedures;

- a. Recruitment Policy; and
- b. Initial Employment Procedure Policy.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the following sections of the Personnel Policies and Procedures Manual be updated and are hereby adopted as of September 12, 2016, to comply with R-37-2011, which was adopted by the Borough Council on January 10, 2011; R-287-2013, which was adopted by the Borough Council on October 16, 2013; and N.J.S.A. 40A:9-10.2, 10.3, 10.4, and 10.5:

Section 3: Paid and Unpaid Time Off Policies;

- a. Vacation Leave Policy and
- b. Sick Leave and Leave of Absence Policy.

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NOW, THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the following sections of the Personnel Policies and Procedures Manual be updated and are hereby adopted, as of September 12, 2016:

Section 2: Workplace Policies

- a. Early Closing and Delayed Opening Policy;
- b. Dress Code Policy;
- c. No Smoking Policy;

Section 3: Paid and Unpaid Time-Off Policies

- a. Vacation Leave Policy;
- b. Personal Leave Policy;

Section 4: Compensation and Employee Benefits Policies;

- a. Health Insurance Policy;
- b. Retirement Policy; and
- c. Salary Range Policy.

NOW THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the updated Personnel Policies and Procedures Manual containing all of the changes adopted above is incorporated into this Resolution by reference and made a part hereof;

NOW THEREFORE BE IT FURTHER RESOLVED by the Borough Council that the updated Personnel Policies and Procedures Manual will be distributed to all Borough employees and that a copy of same will be kept on file in the Borough Clerk's office.

R 272-2016 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING THE RESIGNATION OF TAX COLLECTOR MARY TESTORI AND APPOINTING ASHLEY MARRONE TO THE POSITION OF TAX COLLECTOR

WHEREAS, Mary Testori, Borough Tax Collector, has tendered her resignation dated September 23, 2016; and

WHEREAS, the Chief Financial Officer has recommended that Ashley Marrone be appointed to the position of part-time Borough Tax Collector, effective September 26, 2016; and

WHEREAS, Ashley Marrone holds a valid Tax Collector Certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey that Ashley Marrone is hereby appointed to the position of part-time Tax Collector effective September 26, 2016, at a salary of \$500.00/month.

R 273-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING DREW UNIVERSITY TO HOST A FIREWORKS DISPLAY ON SATURDAY, OCTOBER 1, 2016

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WHEREAS, the Director of Student Activities at Drew University has applied for permission to hold a fireworks display on Saturday, October 1, 2016, 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;
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 1, 2016, is hereby granted and approved subject to the above noted conditions.

R 274-2016 ITEM REMOVED AND THE # RETIRED

R 275-2016 ITEM REMOVED AND THE # RETIRED

R 276-2016 RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE PURCHASE OF NEW, UNUSED LAMPPOSTS

WHEREAS, the Borough of Madison publicly advertised for bids for the Purchase of new, unused lampposts in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Borough received three (3) bids; and

WHEREAS, the Borough Attorney disqualified the apparent low bidder, and the second lowest bidder, due to legal deficiencies in their Stockholder Disclosure Statements and other portions of their bid submissions; and

WHEREAS, the Qualified Purchasing Agent has confirmed that the remaining bid submission exceeds the funds available for the project; and

WHEREAS, the Borough Attorney has opined that rejection of the bids is appropriate pursuant to statutory authority.

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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 all bids for the purchase of new, unused lampposts are hereby rejected for the reasons set forth herein and the Electric Superintendent and Qualified Purchasing Agent are authorized to solicit new bids.

R 277-2016 RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE PURCHASE OF NEW, UNUSED VICTORIAN LIGHT FIXTURES

WHEREAS, the Borough of Madison publicly advertised for bids for the Purchase of new, unused Victorian light fixtures in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Borough received three (3) bids; and

WHEREAS, the Borough Attorney disqualified the apparent low bidder, and the second lowest bidder, due to legal deficiencies in their Stockholder Disclosure Statements and other portions of their bid submissions; and

WHEREAS, the Qualified Purchasing Agent has confirmed that the remaining bid submission exceeds the funds available for the project; and

WHEREAS, the Borough Attorney has opined that rejection of the bids is appropriate pursuant to statutory authority.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that all bids for the purchase of new, unused Victorian light fixtures are hereby rejected for the reasons set forth herein and the Electric Superintendent and Qualified Purchasing Agent are authorized to solicit new bids.

R 278-2016 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, 2016, to October 31, 2016, 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, 2016, to

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October 31, 2016, 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, 2016.

R 279-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF A 2016 FORD ESCAPE VEHICLE THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL

WHEREAS, the Borough of Madison desires to purchase one (1) 2016 Ford Escape vehicles for the Engineering Department from an authorized vendor under the Morris County Co-Operative Pricing Council program; and

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

WHEREAS, Rt 23 Ford Commercial Fleet, 1301 Route 23, Butler, New Jersey has been awarded Morris County Co-Operative Pricing Council contract number 15-A; and

WHEREAS, the Engineer has recommended that the Borough Council utilize this contract for the purchase of one (1) 2016 Ford Escape vehicles in the amount of \$20,018.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$20,018.00 for this purpose, which funds are available in the 2016 Engineering Department Operating budget.

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

1. The purchase of one (1) 2016 Ford Escape vehicles from Rt 23 Ford Commercial Fleet, 1301 Route 23, Butler, New Jersey, at a total price not to exceed \$20,018.00 is hereby approved under the Morris County Co-Operative Pricing Council contract number 15-A.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Rt 23 Ford Commercial Fleet, 1301 Route 23, Butler, New Jersey, for the purchase of one (1) 2016 Ford Escape vehicles at a total price not to exceed \$20,018.00, in a form acceptable to the Borough Attorney.

R 280-2016 RESOLUTION OF THE BOROUGH OF MADISON AWARDING A CONTRACT TO RAPID PUMP & METER SERVICES CO., IN THE AMOUNT OF \$639,690 PLUS SITE WORK ALTERNATE BID NO. 1 IN THE AMOUNT OF \$57,000.00.00 FOR THE NORTH STREET PUMP STATION IMPROVEMENTS

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WHEREAS, the Borough of Madison publicly advertised for bids for the North Street Pump Station Improvements (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the lowest qualified bid was submitted by Rapid Pump & Meter Services Co., in the amount of \$639,690.00 plus site work Alternate Bid No. 1 in the amount of \$57,000.00.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the contract to Rapid Pump & Meter Services Co., in the amount of \$639,690.00 plus site work Alternate Bid No. 1 in the amount of \$57,000.00.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$639,690.00 plus site work Alternate Bid No. 1 in the amount of \$57,000.00.00 for this purpose which funds were appropriated by Ordinances 34-2016 and 39-2016.

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

1. The contract for the North Street Pump Station Improvements is hereby awarded to Rapid Pump & Meter Services Co., based upon its bid in the amount of \$639,690 plus site work Alternate Bid No. 1 in the amount of \$57,000.00.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with Rapid Pump & Meter Services Co., in a form acceptable to the Borough Attorney.

R 281-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE PURCHASE OF SERVICES FROM JEN ELECTRIC, INC. OF SPRINGFIELD, NEW JERSEY UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR TRAFFIC SIGNAL IMPROVEMENTS

WHEREAS, the Borough of Madison desires to purchase services for traffic signal improvements at Kings and Green Village Roads from an authorized vendor under the Morris County Cooperative Pricing Council; and

WHEREAS, the purchase of goods and services through pre-bid State and County agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq.; and

WHEREAS, JEN Electric, Inc., of Springfield, New Jersey has been awarded Morris County Cooperative Bid Contracts; and

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WHEREAS, the Borough Engineer has recommended that the Borough Council utilize these contracts for traffic signal improvements at Kings and Green Village Roads in the total amount not to exceed \$27,054.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in Ordinance 55-2016 for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the purchase of services for traffic signal improvement at Kings and Green Village Roads from JEN Electric, Inc., at a total price not to exceed \$27,054.00 are hereby approved under the Morris County Cooperative Pricing Council and the Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract with JEN Electric, Inc. for the traffic signal improvements at Kings and Green Village Roads, at a total price not to exceed \$27,054.00, in a form acceptable to the Borough Attorney.

R 282-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF POLICE VEHICLE FROM BEYER FORD OF MORRISTOWN, NEW JERSEY

WHEREAS, the Borough of Madison desires to purchase a vehicle for the Police Department from an authorized vendor under Morris County Cooperative Pricing Council Contract #15A, Item #5; and

WHEREAS, the purchase of goods and services through County agencies by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12, et seq; and

WHEREAS, Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey has been awarded Morris County Cooperative Pricing Council Contract #15A, Item #5; and

WHEREAS, the Chief of Police has recommended that the Borough Council utilize this contract for a police vehicle, and accessory equipment in the amount of \$47,647.50; and

WHEREAS, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$47,647.50 for this purpose in the Police Outside Duty account.

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:

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1. The purchase of a police vehicle and accessory equipment from Beyer Ford, at a total price not to exceed \$47,647.50 is hereby approved under the Morris County Cooperative Pricing Council Contract #15A, Item #5.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Beyer Ford for the purchase of a police vehicle and accessory equipment at a total price not to exceed \$47,647.50, in a form acceptable to the Borough Attorney.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Catalanello, seconded by Mr. Rowe 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	\$11,563.22
Health & Public Assistance	6,035.81
Public Works & Engineering	193,057.84
Community Affairs	5,083.31
Finance & Borough Clerk	3,609,795.52
Utilities	<u>875,598.81</u>
Total	<u>\$4,701,134.51</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 - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved October 13, 2016 (EO)