

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

November 12, 2018 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 12th day of November, 2018. 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 11, 2018. 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
John F. Hoover

Also Present:

Council Member Elect Debra J. Coen
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

Mr. Rowe moved:

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

MINUTES FOR APPROVAL (1)

October 30, 2018 Special Executive Meeting

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

LITIGATION MATTERS (1)

AFFORDABLE HOUSING

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

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CONTRACT MATTERS (3)
BOARD OF HEALTH
MADISON CHATHAM JOINT MEETING
MOBILE PARKING APP RFP

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

Seconded: Mrs. Vitale
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all. Mayor Conley offered a moment of silence for the passing of resident Pamela Higgs.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Minutes of October 30, 2018 Special Executive Meeting**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

GREETINGS TO PUBLIC

EMPLOYEE OF THE MONTH FOR NOVEMBER:

The Employee of the Month for November is Jim Trimble of the Electric Utility for his notification to the Water Department of a significant amount of water running down a catch basin on Main Street which he observed while performing his customer service duties. Repair of this leak will save the Borough thousands of gallons of unmetered water and dollars.

ANNIVERSARY FOR THE MONTH OF NOVEMBER:

Ruth Tisi of the Engineering Department – 35 years on November 7th

Mayor Conley presented the following proclamation:

*Proclamation
of the
Borough of Madison
Proclaiming
Children's Grief Awareness Day
November 15, 2018*

WHEREAS, Children's Grief Awareness Day is designed to bring attention to the needs of grieving children and provide opportunities to ensure that these children receive the support they need; and

WHEREAS, created in 2008, New Jersey was the first state to sign Children's Grief Awareness Day into law, which is observed on the third Thursday in November; and

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WHEREAS, an estimated one out of 15 children in the United States will experience the death of a parent or sibling before they reach the age of 18; and

WHEREAS, the majority of grieving children feel alone, misunderstood and fearful, taking much longer to deal with their grief than expected; and

WHEREAS, by raising public awareness of childhood bereavement, the community is educated in ways to support a grieving child; and

WHEREAS, residents of the Borough of Madison have access to two children's grief support centers, Imagine located in Mountainside and Good Grief located in Morristown, that provide free year-round grief support to children, young adults and parents of bereaved children; and

WHEREAS, Imagine was founded by Madison resident Mary Robinson, who lost her father while a student at Madison High School, and by Dr. Gerry Glasser, father of Madison resident Marjorie Ticknor, and is committed to creating communities where children coping with loss receive the support they need to thrive, be resilient and grow up emotionally healthy;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby proclaim November 15, 2018 as **Children's Grief Awareness Day** and encourage all citizens to ensure that no child grieves alone.

Robert H. Conley, Mayor

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REPORTS OF COMMITTEES

Health

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

Public Works and Engineering

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

Mrs. Vitale thanked the members of the Public Works Department for their help with today's Veterans' Day Ceremony at Condorso Way. Mrs. Vitale noted that leaf pick up will continue later this year as leaves are just beginning to fall.

Finance and Borough Clerk

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

Ms. Baillie noted that the Borough will introduce a Bond Ordinance for upgrades to the Madison Chatham Joint Meeting sewer treatment plant and after introduction, the ordinance will be posted on the Borough's website.

Public Safety

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

During the Month of October the Fire Department responded to 22 General Alarms, 23 Still Alarms, 25 Investigations and 36 EMS call for a total of 106 calls in October. Sixty Fire Prevention Inspections were made, as well as 14 Re-sale Smoke/Co certificates were issued. On Monday afternoon, October 22nd, the Madison Fire Department, along with many other fire departments in and out of Morris County, were dispatch to the Town of Dover for a working structure fire at 3 North Warren

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Street. Chief DeRosa and Tower 1 with 4 Firefighters responded. Madison was assigned to staging at the old Kmart on Route 10, along with Engines from East Hanover, Morris Township, Washington Township and Roxbury. They were assigned to respond to any additional fire calls in Randolph, Denville or Dover. On Wednesday morning, October 24th, Chief DeRosa received a call from the Morris County Fire Coordinator who, at the request of the Dover FD needed firefighters to man hose lines at the fire that was still smoldering from Monday. Dover's resources had been exhausted and many other fire departments had been covering the fire around the clock since Monday. Madison sent four firefighters to assist. October is Fire Prevention Month. All Pre-K through 8th grade Madison students received fire safety talks at each school.

Community Affairs

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

Ms. Byrne noted that the Farmers' Market has moved to Kings Road on Thursdays through December in the Madison Community Center. Ms. Byrne remembered recently deceased resident Pamela Higgs.

Utilities

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

The Electric Department has transferred power around Green Village Road near Drew University to assist with tree removal. The Water Department assisted with a leaky pipe at a Belmont Avenue home, and reminded resident that fire hydrants are only for firefighting.

COMMUNICATIONS AND PETITIONS

The Borough Clerk announced receipt of the following communications:

Letter date November 9, 2018, from Carsten Wittrup of Green Village Road, regarding electric vehicle charging stations.

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

11/12/2018-1 MADISON CHATHAM JOINT MEETING FINANCING/ BOND ORDINANCE

Mr. Burnet provided information regarding the introduction of a Bond Ordinance for improvements to the Madison Chatham Joint Meeting due to Department of Environmental Protection DEP regulations regarding phosphorus. The proposed bond will appropriate funds for Madison's portion of the upgrades in the amount of \$4,770,000, based on metered flow. The Borough can borrow at 0% interest in the short term.

Ordinance 50-2018 listed for Introduction.

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11/12/2018-2 OPEN SPACE RECREATION AND HISTORIC PRESERVATION TRUST REQUEST – COMMUNITY GARDEN

Ms. Baillie noted a request from the Madison Community Garden Committee for funds for the purchase of wildflowers for the pollinator garden. There was no objection to listing a resolution on the Consent Agenda.

Resolution 295-2018 listed on the Consent Agenda.

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 Wednesday, October 10, 2018 and Monday, October 22, 2018, 2018, 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 48-2018

ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING \$50,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR RESEEDING AND REPAIR OF BOROUGH PARKS AND RECREATION FIELDS

WHEREAS, the Borough Engineer has recommended that the Borough appropriate \$50,000.00 from the General Capital Improvement Fund for reseeding and repair of Borough parks and recreation fields; and

WHEREAS, funds are available in the General Capital Improvement Fund and the availability of funds has been certified by the Chief Financial Officer; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$50,000.00 from the General Capital Improvement Fund for reseeding and repair of Borough fields.

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 reseeding and repair of Borough fields.

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 48-2018. Since no member of the public wished to be heard, the public hearing was closed.

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Mrs. Vitale moved that Ordinance 48-2018, which was 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, Mr. Hoover

Nays: None

Mayor Conley declared Ordinance 48-2018 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 49-2018**
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$46,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO
PURCHASE TWO TRUCK BODIES WITH PLOWS AND EQUIPMENT FOR
THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Director of Public Works has recommended that the Borough appropriate \$46,000.00 from the General Capital Improvement Fund to purchase a utility body and a dump truck body with plows and equipment 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 \$46,000.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$46,000.00 from the General Capital Improvement Fund to purchase a utility body and a dump truck body with plows and equipment for the Public Works Department; 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 \$46,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase a utility body and a dump truck body with plows and equipment 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 48-2018. Since no member of the public wished to be heard, the public hearing was closed.

Mrs. Vitale moved that Ordinance 48-2018, which was read by title, be withdrawn as the appropriation is not necessary. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 49-2018 withdrawn and ordered the Clerk to record the ordinance as required by law.

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 November 26, 2018 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:

Mayor Conley calls up Ordinance 50-2018 for first reading and asks the Borough Clerk to read said ordinance by title:

ORDINANCE 50-2018 BOND ORDINANCE TO AUTHORIZE THE FUNDING OF A PORTION OF THE COST OF THE IMPROVEMENT OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY BY AND FOR THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,770,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Note: AB read the statement below in full and moved introduction.

BE IT RESOLVED that Bond Ordinance 50-2018, which the Borough Clerk read by title, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 26th day of November, 2018, at 8:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice

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of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

WHEREAS, the Borough of Madison, in the County of Morris, State of New Jersey, and the Borough of Chatham, in the County of Morris, State of New Jersey, jointly operate a sanitary sewerage treatment system as members of the Madison-Chatham Joint Meeting (the "Joint Meeting"), with each municipality being financially responsible for a proportionate share of the cost and debt service for the improvements hereinafter authorized - Madison's share being 63.6% and Chatham's being 36.4%; and

WHEREAS, the Borough Council of the Borough of Madison has determined that it is necessary to authorize and provide for financing the improvement of the Molitor Water Pollution Control Facility located in the Borough of Chatham and owned and operated by the Joint Meeting; and

WHEREAS, the Borough will fund \$4,770,000 of the total estimated project costs of \$7,500,000 (with Chatham funding the \$2,730,000 balance), which costs shall include all work, materials and appurtenances necessary and suitable therefor; and

WHEREAS, the Joint Meeting has heretofore authorized the filing of a loan application for the financing of allowable costs of the aforesaid project with the New Jersey Environmental Infrastructure Financing Program (the "State Program"); NOW, THEREFORE,

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

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Section 1. The Borough of Madison, in the County of Morris, State of New Jersey (the "Borough"), is hereby authorized to fund its proportionate share of the costs of the improvement of the Madison-Chatham Joint Meeting's Molitor Water Pollution Control Facility (the "Facility") located in the Borough of Chatham consisting of: replacement of the existing mechanically cleaned influent screen; replacement of the existing primary effluent pumps; replacement of the existing oxidation channel aerators; construction of a new effluent filtration facility including low-lift pumps; replacement of the disinfection system's chemical metering pumps; installation of a second belt filter press; replacement of the existing grit removal equipment; replacement of the roofing on existing buildings; improvement of the interior roads at the Facility; and all related improvements and work, materials and appurtenances necessary and suitable therefor, all as shown on and in accordance with the plans and specifications prepared or to be prepared by the Madison-Chatham Joint Meeting Engineer.

Section 2. The sum of \$4,770,000 is hereby appropriated to the payment of the Borough's share of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves an environmental infrastructure project to be funded by loans pursuant to the State Program. Any of said loan funds received shall be applied as set forth in Section 9 hereof. Said improvements shall be made as general

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improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$4,770,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$4,770,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$896,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$4,770,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of the Borough of an aggregate principal amount not exceeding \$4,770,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the

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event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable at such times as may be hereafter determined within the limitations prescribed by law, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer, who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according

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to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of the Borough, and that such statement so filed shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$4,770,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (except any funds received as loans from the State Program, which shall be applied to the payment of the cost of such purpose or to the payment of any outstanding bond anticipation notes, but shall not reduce the amount of bonds authorized for such purpose), shall be applied to the payment of the cost of such purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 10. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of

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Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 11. The Borough intends to issue bonds or notes to finance the costs of the improvements described in Section 1 of this ordinance. If the Borough or the Joint Meeting incur such costs prior to the issuance of such bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Ms. Baillie moved that Ordinance 50-2018, 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, Mr. Hoover
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 Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

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Mr. Rowe moved adoption of the Resolutions listed on the Consent Agenda. 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, Mr. Hoover

Nays: None

R 294-2018 RESOLUTION OF THE BOROUGH OF MADISON
RESCINDING RESOLUTION 211-2018 AUTHORIZING A CONTRACT
WITH mPAY2PARK FOR A MOBILE PARKING PAYMENT AND
ENFORCEMENT SYSTEM

WHEREAS, Resolution 211-2018 awarded a contract to mPay2Park, LLC for a mobile parking payment and enforcement system; and

WHEREAS, the Qualified Purchasing Agent and Borough Attorney have recommended that Resolution 211-2018 be rescinded for the Vendor's failure to timely submit contractually required documentation and information to confirm their financial stability and existing municipal contract relationships, and that the Council authorizes advertising again for Requests for Proposal-Competitive Contracting for a Mobile Parking Payment and Enforcement System; and

WHEREAS, the Mayor and Council have determined that Resolution 211-2018 should be rescinded and that the Mobile Parking Payment and Enforcement System RFP be re-advertised.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Resolution 211-2018 is hereby rescinded, and the Qualified Purchasing Agent is authorized to advertise for proposals.

R 295-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING
THE USE OF UP TO \$800.00 IN MUNICIPAL OPEN SPACE TRUST FUNDS FOR
A WILDFLOWER GARDEN AT THE MADISON RECREATION CENTER

WHEREAS, the Community Garden Advisory Committee has requested funding for a wildflower garden at the Madison Recreation Center Community Garden; and

WHEREAS, the Open Space Advisory Committee has recommended that up to \$800.00 from the Municipal Open Space Trust Fund be disbursed for requested wildflower garden; and

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 \$800.00 for this purpose.

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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 up to \$800.00 is hereby authorized to be allocated from the Municipal Open Space Trust Fund for a wildflower garden at the Madison Recreation Center.

R 296-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AWARD OF AN AGREEMENT WITH ST. HUBERT'S GIRALDA, INC. FOR ANIMAL CONTROL SERVICES

WHEREAS, the Borough Health Officer and Borough Administrator have recommended that an Agreement be executed with St. Hubert's Giralda, Inc., for animal control services; and

WHEREAS, the Borough of Madison shall pay St. Hubert's Giralda, Inc., for services in an amount not to exceed \$26,144.25 in 2019, as described in the attached Agreement; and

WHEREAS, the proposed Agreement would be for a period of four-years, commencing on January 1, 2019 and terminating on December 31, 2022, with a provision that either party may terminate its participation in the Agreement by giving the other party written notice in advance pursuant to the Agreement.

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 is authorized to execute and the Borough Clerk is authorized to attest to an Agreement with St. Hubert's Giralda, Inc. as described herein in a form approved by the Borough Attorney.

R 297-2018 RESOLUTION OF THE BOROUGH OF MADISON AMENDING RESOLUTION 77-2018 AUTHORIZING CONTRACT FOR GASOLINE THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL

WHEREAS, Resolution 77-2018 awarded a contract through the Morris County Co-Operative Pricing Council to Allied Oil, LLC, of Hillsborough, New Jersey in an amount not to exceed \$120,000.00 for the purchase of gasoline; and

WHEREAS, the Director of Public Works has recommended that the Borough amend Resolution 77-2018 to increase the award amount by \$25,000.00 to \$145,000.00; and

WHEREAS, the Director of Finance has attested that funds will be available in an additional amount not to exceed \$25,000.00, which funds are available in the 2018 operating budget.

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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, as follows:

1. Resolution 77-2018 is amended to increase the contract award amount by an additional amount of \$25,000.00 to \$145,000.00.

2. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, an amended purchase order and contract with Allied Oil, LLC, of Hillsborough, New Jersey, for gasoline at a total price not to exceed \$145,000.00, in a form acceptable to the Borough Attorney.

R 298-2018 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY PTSO MADISON HIGH SCHOOL

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

PTSO MADISON HIGH SCHOOL
I.D. No. 274-5-33795

R.A. No. 1461 – Off-premise 50/50
March 7, 2019

R.A. No. 1462 – On-premise merchandise
March 7, 2019

R.A. No. 1463 – On-premise 50/50
January 12, 2019

R 299-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF DUMP TRUCK BODY AND RELATED EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works desires to purchase a dump truck body and related equipment for the Public Works Department; and

WHEREAS, the Borough Administrator has recommended that the Borough Council authorize a contract for the purchase of a dump truck body and related equipment for the Public Works Department with A & K Equipment Company. Inc., in the amount of \$20,210.00; and

WHEREAS, funds are available in Ordinance 41-2018 or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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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, as follows:

1. The purchase of a dump truck body and related equipment for the Public Works Department, at a total price not to exceed \$20,210.00 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to A & K Equipment Company. Inc. of Rahway, N.J., for the purchase of a dump truck body and related equipment for the Public Works Department, at a total price not to exceed \$20,210.00, in a form acceptable to the Borough Attorney.

R 300-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING PURCHASE OF UTILITY TRUCK BODY AND RELATED EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works desires to purchase a utility truck body and related equipment for the Public Works Department; and

WHEREAS, the Borough Administrator has recommended that the Borough Council authorize a contract for the purchase of a utility truck body and related equipment for the Public Works Department with A & K Equipment Company. Inc., in the amount of \$24,829.00; and

WHEREAS, funds are available in Ordinance 41-2018 or in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

1. The purchase of a utility truck body and related equipment for the Public Works Department, at a total price not to exceed \$24,829.00 is hereby approved.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to A & K Equipment Company. Inc. of Rahway, N.J., for the purchase of a utility truck body and related equipment for the Public Works Department, at a total price not to exceed \$24,829.00, in a form acceptable to the Borough Attorney.

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R 301-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING 2018 BUDGET TRANSFERS

WHEREAS, certain transfers of funds for various 2018 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-58 provides for transfer of appropriations with an excess over and above the amount deemed necessary to fulfill their purposes to those appropriations deemed to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40A:4-58 for transfer purposes.

NOW, THEREFORE, BE IT RESOLVED, by at least affirmative vote of the members of the Council of the Borough of Madison, in the County of Morris, New Jersey, that the Chief Financial Officer is hereby authorized to make transfers between appropriation accounts of the 2018 Municipal Budget as follows:

Budget Line receiving funds	Amount Transferred in	Reason for request	Budget line transferring \$\$	Amount transferred out
Construction (195)	+ \$65,000	Purchase of truck with plow for Construction Official	Insurance (210)	- \$65,000

R 302-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING RELEASE OF RESTORATION BOND TO 5 GIRALDA FARMS (ALLERGAN), ON BLOCK 3202, LOTS 5 & 8

WHEREAS, the Assistant Borough Engineer has recommended that the Restoration Bond for 5 Giralda Farms (Allergan) in the amount of \$28,834.80.00 be reduced to \$4,155.60, in connection with site improvements completed at 5 Giralda Farms, Block 3202, Lots 5 & 8; and

WHEREAS, the Assistant Borough Engineer advises that compliance with approved site plans has been completed.

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 Restoration Bond described herein be reduced and released to 5 Giralda Farms (Allergan).

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R 303-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE USE OF SPACES IN THE PUBLIC PARKING LOT AT THE CIVIC CENTER BY THE THURSDAY MORNING CLUB OF MADISON ON NOVEMBER 16 AND 17, 2018

WHEREAS, the Thursday Morning Club has requested permission for vendors attending the annual Holiday Bazaar to park at the Madison Civic Center on Friday, November 16, and Saturday, November 17, 2018; and

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

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Thursday Morning Club is hereby given permission for vendors attending the annual Holiday Bazaar to park at the Madison Civic Center on Friday, November 16, and Saturday, November 17, 2018, subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

R 304-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING AWARD OF CONTRACT TO ADVANCED ELECTRONICS DESIGN INC. FOR THE PURCHASE OF MOBILE VISION RECORDERS FOR MADISON POLICE DEPARTMENT VEHICLES UNDER STATE CONTRACT NUMBER A81300

WHEREAS, the Madison Police Department wishes to replace mobile vision equipment used in Police Vehicles, from an authorized vendor under State Contract #A81300; and

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

WHEREAS, Advanced Electronics Design Inc., of North Attleboro, MA has been awarded New Jersey State contract # A81300; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$27,205.00 for this purpose in the Police Outside Duty Trust 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:

1. The award of a contract to Advanced Electronics Design Inc. for the purchase of mobile vision equipment for Police Vehicles is hereby approved under the New Jersey State contract #A81300.

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2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a Purchase Order to and contract with Advanced Electronics Design Inc. for the purchase of mobile vision equipment for Police Vehicles at a total price not to exceed \$27,205.00 in a form acceptable to the Borough Attorney.

R 305-2018 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 Middlesex Regional Educational Services Commission of New Jersey Contract #65; 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 Middlesex Regional Educational Services Commission of New Jersey Contract #65; 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 \$35,896.91; and

WHEREAS, the Chief Finance Officer has attested that funds will be available in an amount not to exceed \$35,896.91 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:

1. The purchase of a police vehicle and accessory equipment from Beyer Ford, at a total price not to exceed \$35,896.91 is hereby approved under the Middlesex Regional Educational Services Commission of New Jersey Contract #65.

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 \$35,896.91, in a form acceptable to the Borough Attorney.

R 306-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING FINAL CHANGE ORDER REQUEST FROM CIFELLI & SON GENERAL CONTRACTING, INC., IN THE AMOUNT OF \$145,160.00 BRINGING TOTAL

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AUTHORIZED FINAL PAYMENT TO \$905,881.00 FOR THE 2018 ROAD IMPROVEMENT PROGRAM

WHEREAS, a contract for the 2018 Road Reconstruction Program, in an amount not to exceed \$760,721.00 was awarded to Cifelli & Son, Inc., of Nutley, New Jersey, by Resolution 120-2018; and

WHEREAS, the Borough Engineer has recommended approval of a change order to the contract for field changes that were encountered during the construction and larger quantities under the unit pricing and final payment of \$145,160.00 bringing the revised contract total to \$905,881.00; and

WHEREAS, the Borough Engineer has advised that the project has been completed and has recommended approval of the change order amending Resolution 120-2018 to Cifelli & Son General Contracting, Inc. of Nutley, New Jersey in an additional amount of \$145,160.00 so that final payment may be processed and the contract completed; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an additional amount not to exceed \$145,160.00 for this purpose, which funds were appropriated by Ordinance 1-2018 in the amount of \$ 1,800,000.00 and Ordinance 2-2018 in the amount of \$705,000.00 and the existing ordinances contain sufficient funds to include this final payment and change order;

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 final payment and change order request from Cifelli & Son General Contracting, Inc. of Nutley, New Jersey, in the total amount not to exceed \$905,881.00 for the 2018 Road Improvement Program is authorized.

R 307-2018 RESOLUTION OF THE BOROUGH OF MADISON CONFIRMING PAYMENT #2 AND CHANGE ORDERS #2 THROUGH #6 TO JTG CONSTRUCTION, INC. FOR THE PLAIN STREET RECONSTRUCTION PROJECT

WHEREAS, the Assistant Borough Engineer has advised the Council that changes in supplemental drainage improvements and valve failures were encountered during the Plain Street Reconstruction project; and

WHEREAS, the Assistant Borough Engineer has recommended that based on said change order, the base contract with JTG Construction, Inc. shall be increased by (5.34%) which results in no additional appropriation being needed; and

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WHEREAS, the Council wishes to authorize disbursement for Payment #2 and Change Order #2 through #6 in the cumulative amount of \$124,432.41; and

WHEREAS, the Chief Financial Officer has confirmed that adequate funds for this purpose are contained in Ordinance 1-2018 and Ordinance 18-2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that payment in the amount of \$124,432.41 to JTG Construction, Inc. for the Plain Street Reconstruction project is approved.

R 308-2018 RESOLUTION OF THE BOROUGH OF MADISON AMENDING THE 2018 CAPITAL BUDGET

WHEREAS, the capital budget for 2018 was adopted on the April 23, 2018; and **WHEREAS**, it is desired to amend said Adopted Capital Budget Section, **NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Madison, County of Morris, that the following amendment to the adopted capital budget of the 2018 Budget be made.

Project	Estimate Cost Funded by the Borough of Madison	Amounts Reserved in Prior years	2018 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid and Other Funds	Debt Authorized
Improvements to the Madison-Chatham Joint Meeting Molitor Water Pollution Control Facility	\$4,770,000	\$0	\$0	\$0	\$0	\$0	\$4,770,000

BE IT FURTHER RESOLVED, that two (2) copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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.

UNFINISHED BUSINESS - None

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APPROVAL OF VOUCHERS

On motion by Mr. Rowe, seconded by Mrs. Vitale 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	\$361,545.10
General Capital Fund	507,284.97
Electric Operating Fund	657,872.67
Electric Capital Fund	0.00
Water Operating Fund	43,455.02
Water Capital Fund	408.00
Trusts	<u>129,580.21</u>
Total	<u>\$1,700,145.97</u>

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

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

Nays: None

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved December 10, 2018 (EO)