

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

**November 28, 2016 - 7 p.m.**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 28th day of November, 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  
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. Wolkowitz moved:

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

MINUTES FOR APPROVAL (1)

October 24, 2016

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

CONTRACT MATTERS (5)

ROCK-GW, LLC

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AFFORDABLE HOUSING UPDATE  
SANITARY SEWER CLEANING, TELEVISIONING AND REPAIR REBID  
HEALTH SERVICES

JOINT MEETING BUILD OUT ANALYSIS

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

PERSONNEL MATTERS (2)

FIRE LIEUTENANTS

LABORER – DEPT OF PUBLIC WORKS

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

POTENTIAL LITIGATION MATTERS (1)

VILLA MILAGRO

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. Mayor Conley asked for a moment of silence to honor the passing of resident Tony Martell.

**APPROVAL OF MINUTES**

Ms. Baillie moved approval of the **Executive Minutes of October 24, 2016**. 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 October 24, 2016**.

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:

Madison hosted an economic development seminar at the recent New Jersey League of Municipalities Conference held in Atlantic City, interesting panelists such as Mr. Dennis Bone, former President of Verizon, now head of Montclair State University's Entrepreneurial Institute and Ms. MaryAnn Baenninger, the President of Drew University participated as well. Mayor Conley thanked the participants including Mr. Burnet, for their efforts. On Saturday November 19<sup>th</sup> resident Larry Tabor was honored at the dedication of the triangle at Hillcrest and Green Avenue. The landscaping was donated by resident Harry Pignatello. The annual holiday parade and Christmas tree lighting was held last Friday, with an enormous turnout to see Santa and Mrs. Claus. Resident and Madison firefighter Jack Dunne and family donated the beautiful tree.

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### **REPORTS OF COMMITTEES**

#### **Utilities**

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

#### **Health**

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

#### **Finance and Borough Clerk**

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

The Payroll Department has completed twenty-three pay period this year with no issues, and continues work on calculating the 2017 payroll. Capital projects will be presented at the December 12<sup>th</sup> Council meeting.

#### **Public Safety**

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

The Fire Department formally dedicated a plaque to former Fire Chief Thomas J. Kiernan, who was in command from 1989 until 1991. The Fire Department reminds residents to use UL lights during this holiday season and to water live Christmas trees daily.

#### **Community Affairs**

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

The Borough of Madison has received Silver Sustainability Re-certification for Sustainability. The next Senior Bus trip to the New York City Museum Mile will take place Tuesday, November 29<sup>th</sup>. Forty four residents have registered and will be dropped off at the Metropolitan Museum where they may stay, or have the option of choosing one or more of the eight museums along Fifth Avenue. Upcoming trips for 2017 will include the Brandywine River Museum with its tours of the N.C. Wyeth house and studio, the Andrew Wyeth studio and Kuerner's farm; and the recently relocated Whitney Museum, Chelsea Market and Highline.

#### **Public Works and Engineering**

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

Striping activities on Prospect Street were completed this past week. The County of Morris will complete milling and paving of Shunpike Road in Madison this week under a contract with Konkus Corp. The State has made the 2017 Local Aid funding round available as of November 17<sup>th</sup> and Madison will submit an application for funding assistance for the Greenwood Avenue Reconstruction project before the February 3, 2017 deadline. Plans and specifications for the Loantaka Way/Woodland Road Intersection Improvements produced for the County of Morris have been forwarded to the Borough of Madison. We anticipate construction work in 2017. The Department of Public Works Refueling Storage expansion has been started, with foundation work completed last week. The new tank will be delivered when the concrete slab has fully cured in two weeks. The final round of leaf collection has begun. Residents should have all leaves curbside before the end of this week. The final yard waste pickups will be on Wednesday, December 14<sup>th</sup>.

### ***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

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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** - None

**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 November 14, 2016, 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 64-2016  
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING  
\$250,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR  
REMEDICATION AT THE REAR OF THE HARTLEY DODGE MEMORIAL**

**WHEREAS**, the Borough Council has determined to complete the remediation at the rear of the Hartley Dodge Memorial; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$250,000.00 from the General Capital Improvement Fund for remediation at the rear of the Hartley Dodge Memorial; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$250,000.00 for this purpose in the General Capital Improvement Fund.

**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 \$250,000.00 is hereby appropriated from the General Capital Improvement Fund for remediation at the rear of the Hartley Dodge Memorial.

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

Mayor Conley opened up the public hearing on Ordinance 65-2016. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Rowe moved that Ordinance 65-2016, which was read by title, be finally adopted. Mr. Catalanello seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

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

Nays: None

Mayor Conley declared Ordinance 64-2016 adopted and finally passed and asked the Clerk to publish notice thereof in the newspaper and file the ordinance in accordance with the law.

**ORDINANCE 65-2016**

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING  
CHAPTER 94 OF THE BOROUGH CODE ENTITLED  
“ELECTRIC UTILITY” TO AMEND THE RULES AND  
REGULATIONS OF THE ELECTRIC UTILITY DEPARTMENT  
AND SET FORTH THE REQUIREMENTS TO ESTABLISH AN  
ANNUAL CUSTOMER COST ADJUSTMENT PROGRAM**

**WHEREAS**, the Borough Administrator has recommended amending the Electric Utility Rules and Regulations in order to include a new section establishing an annual electric utility customer cost adjustment program; and

**WHEREAS**, the Madison Borough Attorney has recommended that the amended Rules and Regulations be adopted by ordinance and incorporated into Chapter 94, as Section 94-1 (E).

**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:** Section 94-1 of the Borough Code entitled “Schedule of rates” shall have the following paragraph added:

E. An annual electric customer cost adjustment program is hereby established as follows: The Chief Financial Officer (CFO) will provide a written report to the governing body in January of the financial results of the electric utility for the preceding calendar year. The report will include a detailed accounting of all monetary inflows and outflows. Costs will include utility operational costs, employee compensation and benefits, transmission costs, capacity/demand charges, commodity costs, physical plant and equipment charges, appropriations for the Electric Utility Capital Improvement Fund, operating reserves, contingency, transfers of electric surplus to the municipal budget for tax relief, debt service, municipal operating support and general capital improvements, a minimum free balance of at least \$1,000,000, line loss and such other financial factors as deemed appropriate and prudent by the CFO and governing body. To the extent there are funds remaining after all items cited above have been subtracted from the total electric utility revenue, the CFO, with the Council’s

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approval, may annually recommend a prospective cost adjustment credit be applied to each kilowatt-hour (KWH) supplied under all rate schedules and tariffs. This adjustment, if any, will be set to the nearest \$0.0001 via resolution and applied to all kilowatt-hours supplied during subsequent billing periods until the next annual financial analysis in January of the following year by the CFO and governing body of the operating results and performance of the Electric Utility. The cost adjustment credit factor may be revised during the course of any calendar year period by the governing body via resolution upon a showing of good cause.

SECTION 2: This Ordinance shall take effect on January 1, 2017.

Mayor Conley opened up the public hearing on Ordinance 65-2016.

**Ron Hendrickson; Green Avenue**, raised concern regarding electric utility rates, noted that the monthly utility bills do not include consumption.

**Tom Binting; Rolling Hills Court**, complimented the Council and Administration for the management of the electric utility, and would like to see this model adopted for the water utility.

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

Mr. Wolkowitz moved that Ordinance 65-2016, which was read by title, be finally adopted. Mr. Rowe seconded the motion. Mr. Catalanello noted there was no further 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

Mayor Conley declared Ordinance 65-2016 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.

**INTRODUCTION OF ORDINANCES**

The Clerk made the following statement:

Ordinance scheduled for introduction and first reading tonight will have a hearing during the meeting of December 12, 2016 in the 2<sup>nd</sup> 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 Ordinance 66-2016 for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 66-2016    ORDINANCE OF THE BOROUGH OF MADISON  
APPROPRIATING \$30,000.00 FROM THE GENERAL CAPITAL  
IMPROVEMENT FUND FOR POLICE FIRING RANGE IMPROVEMENTS

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**WHEREAS**, Police Chief Dachisen has recommended that the Borough appropriate \$30,000.00 from the General Capital Improvement Fund for Police Firing Range Improvements; 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 \$30,000.00 for this purpose; and

**WHEREAS**, the Borough Council has determined that the Borough should appropriate \$30,000.00 from the General Capital Improvement Fund for Police Firing Range Improvements.

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

**SECTION 1:** The amount of \$30,000.00 is hereby appropriated from the General Capital Improvement Fund for Police Firing Range Improvements.

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

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

Mrs. Vitale moved that Ordinance 66-2016, 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 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 322-2016 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ALICIA COX TO THE POSITION OF CROSSING GUARD**

**WHEREAS**, the Chief of Police has recommended appointing Alicia Cox to the position of Crossing Guard; and

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**WHEREAS**, the Chief Financial Officer has attested that funds are available for this purpose in the 2016 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 Alicia Cox 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 16, 2017, unless the school year is extended due to winter weather closings

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

R 323-2016 RESOLUTION OF THE BOROUGH OF MADISON REQUESTING THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2016

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Madison will receive \$5,000.00 from the State of New Jersey, Division of Highway Traffic Safety “2016 Drive Sober or Get Pulled Over Year End Holiday Crackdown” and wishes to amend its 2016 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Madison in the County of Morris and State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,000.00, which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: State and Federal Revenues Off-Set with Appropriations; and

**BE IT FURTHER RESOLVED** that the like sum of \$5,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operation Excluded from 3.5% Caps

State and Federal programs Off-set by Revenues:

State of New Jersey, Division of Highway Traffic Safety “2016 Drive

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Sober or Get Pulled Over Year End Holiday Crackdown” -Other Expenses  
\$5,000.00.

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

R 324-2016 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING MR. TREY SMITH TO THE INTERN POSITION IN THE MADISON POLICE DEPARTMENT

**WHEREAS**, Police Chief Daren Dachisen has recommended the appointment of Mr. Trey Smith to the position of Intern in the Madison Police Department; and

**WHEREAS**, the Borough Council agrees with this recommendation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Mr. Trey Smith is hereby appointed to the position of unpaid Intern in the Madison Police Department effective immediately.

R 325-2016 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING GRANT APPLICATION OF THE MADISON FIRE DEPARTMENT FOR A GRANT FROM 2016 FEMA ASSISTANCE TO FIREFIGHTERS GRANT

**WHEREAS**, Fire Chief Louie DeRosa has requested support of a grant application to the 2016 FEMA Assistance to Firefighters Grant for replacement of the Fire Department radio system; and

**WHEREAS**, the Borough Administrator has recommended that the Council authorize the issuance of letters of support of the grant application of the Fire Department.

**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 hereby authorized to issue letters of support for the 2016 FEMA Assistance to Firefighters Grant for replacement of the Fire Department radio system.

R 326-2016 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO NATIONAL WATER MAIN CLEANING COMPANY, INC. IN THE AMOUNT OF \$263,726.50 FOR THE SANITARY SEWER CLEANING, TELEVISIONING AND REPAIR PROGRAM

**WHEREAS**, the Borough of Madison publicly advertised for bids for the Sanitary Sewer Cleaning, Televisioning and Repair Program (the “Contract”) in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

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**WHEREAS**, the lowest qualified bid was submitted by National Water Main Cleaning Company, Inc. in the amount of \$263,726.50; and

**WHEREAS**, the Borough Engineer has recommended that the Borough Council award the contract to National Water Main Cleaning Company, Inc. in the amount of \$263,726.50; and

**WHEREAS**, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$263,726.50 for this purpose which funds were appropriated by Ordinance 34-2016.

**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 Sanitary Sewer Cleaning, Televising and Repair Program is hereby awarded to National Water Main Cleaning Company, Inc. based upon its bid in the amount of \$263,726.50.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with National Water Main Cleaning Company, Inc. in a form acceptable to the Borough Attorney.

**R 327-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF LIEUTENANTS IN THE MADISON FIRE DEPARTMENT EFFECTIVE NOVEMBER 29, 2016**

**WHEREAS**, the Borough Council, after due consideration, has determined to appoint James Blair, Brian Tappen, Kyle Wickman and Kevin Williams to the position of Lieutenant in the Madison Fire Department effective November 29, 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 James Blair, Brian Tappen, Kyle Wickman and Kevin Williams are hereby appointed to the position of Lieutenant in the Madison Fire Department, effective November 29, 2016, to be compensated by a onetime increase of \$1,500.00 in the 2016 base pay for each officer.

**R 328-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A CONTRACT WITH CLARK CATON HINTZ FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR BUILD OUT ANALYSIS FOR THE JOINT MEETING**

**WHEREAS**, the Borough Administrator has recommended execution of a professional services contract with Clark Caton Hintz, be made regarding professional architectural services for a Madison Chatham Joint Meeting Build Out Analysis pursuant to a written proposal from Clark Caton Hintz; and

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**WHEREAS**, such services constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a); and

**WHEREAS**, Clark Caton Hintz, has submitted to the Borough Purchasing Agent, the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$12,000.00 for this purpose, in the Municipal Affo.

**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 Mayor and Borough Clerk are authorized to execute on behalf of the Borough a professional services contract with Clark Caton Hintz, for professional services for a Madison Chatham Joint Meeting Build Out Analysis Plan, in an amount not to exceed \$12,000.00 in a form acceptable to the Borough Attorney.

2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 329-2016 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO BOWMAN CONSULTING GROUP, LTD, IN AN AMOUNT NOT TO EXCEED \$29,400.00 TO PROVIDE FIELD SURVEYS FOR RECONSTRUCTION OF VINAL PLACE, ROSS COURT, PLAIN STREET, KENSINGTON ROAD, ROSEWOOD DRIVE AND CRESTWOOD DRIVE

**WHEREAS**, the Madison Borough Engineer has advised the Borough Council that professional design and engineering services are needed to prepare surveys for reconstruction of Vinal Place, Ross Court, Plain Street, Kensington Road, Rosewood Drive and Crestwood Drive; and

**WHEREAS**, the Borough Engineer has recommended that Bowman Consulting Group, Ltd, professional engineers, be awarded a professional contract for these services at a cost not to exceed \$29,400.00, based on their written proposal dated September 23, 2016; and

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

**WHEREAS**, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$29,400.00 for this purpose, in Ordinance 5-2016; and

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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 the Mayor and Borough Clerk are hereby authorized to execute on behalf of the Borough a professional services contract with Bowman Consulting Group, Ltd, in an amount not to exceed \$29,400.00, to perform the design and engineering services to prepare surveys for reconstruction of Vinal Place, Ross Court, Plain Street, Kensington Road, Rosewood Drive and Crestwood Drive, including all of the work to be done as set forth in the written proposal dated September 23, 2016 and provided such contract is in a form approved by the Borough Attorney.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby directed to publish notice of adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 330-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING FINAL CHANGE ORDER REQUEST FROM CIFELLI & SON, INC IN THE AMOUNT OF \$67,294.42 BRINGING TOTAL AUTHORIZED FINAL PAYMENT TO \$99,879.32 FOR THE 2016 ROAD IMPROVEMENT PROGRAM

**WHEREAS**, a contract for the 2016 Road Improvement Program, in an amount not to exceed \$1,024,356.12 was awarded to Cifelli & Son, Inc., of Nutley, New Jersey, by Resolution 133-2016; and

**WHEREAS**, the Borough Engineer has recommended approval of a change order to the contract for filed changes that were encountered during the construction and final payment of \$99,879.32 bringing the revised contract total to \$1,091,650.54; and

**WHEREAS**, the Borough Engineer has advised the project has been completed and has recommended approval of the change order amending Resolution 133-2016 to Cifelli & Son, Inc. of Nutley, New Jersey in an additional amount of \$67,294.42 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 \$67,294.42 for this purpose, which funds were appropriated by Ordinance 4-2016 in the amount of \$965,000.00 and Ordinance 7-2016 in the amount of \$270,000.00 and the existing ordinances contains 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, Inc. of Nutley, New Jersey, in the total

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amount not to exceed \$1,091,650.54 for the 2016 Road Improvement Program is authorized.

**R 331-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING APPOINTMENT OF ANTHONY CHIPOLETTI, JR. TO THE POSITION OF LABORER IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the Purchasing/Personnel Officer recommends that an offer of employment be made to Anthony Chipoletti, Jr. for the position of Laborer in the Public Works Department, subject to execution of an employment agreement approved by the Borough Attorney; 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, as follows:

1. The Purchasing/Personnel Officer shall make an offer of employment to Anthony Chipoletti, Jr. for the position of Laborer in the Public Works Department.
2. The Purchasing/Personnel Officer is authorized to hire Anthony Chipoletti, Jr. for the position of Laborer in the Public Works Roads Department upon receipt of satisfactory results of physical and back assessment and drug/alcohol test, effective immediately, at an annual salary of \$33,959.00 in accordance with the appropriate collective bargaining unit contract.

**R 332-2016 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING A CONTRACT WITH COUNTY OF MORRIS TO PROVIDE EMERGENCY MEDICAL DISPATCHING SERVICES**

**WHEREAS**, N.J.A.C. 17:24-1.1, et seq. requires that the municipality provide pre-arrival health-care instructions be given by the phone operator/dispatcher/police officer on all emergency medical-related calls; and

**WHEREAS**, the Police Chief has recommended the Borough retain the services of County of Morris to provide emergency medical dispatching for the Borough beginning January 1, 2017 at the rate of \$5,500.00 per year.

**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. A contract with the County of Morris for emergency medical dispatching services, in an amount not to exceed \$5,500.00 per year, is hereby approved.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a contract with the County of Morris for emergency

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medical dispatching services, at a total price not to exceed \$5,500.00 per year, in a form acceptable to the Borough Attorney.

**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.**

**Ron Hendrickson; Green Avenue**, asked that the electric utility presentation be published in the *Madison Eagle*.

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

**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	\$15,235.90
Health & Public Assistance	4,336.06
Public Works & Engineering	170,820.58
Community Affairs	13,356.53
Finance & Borough Clerk	282,349.68
Utilities	<u>62,980.59</u>
Total	<u>\$549,079.59</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 9:00 p.m.

Respectfully submitted,

Elizabeth Osborne  
Borough Clerk  
Approved January 23, 2017 (EO)