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

December 8, 2014 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 8th day of December, 2014. Mayor Conley called the meeting to order at 6:30 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 2, 2014. 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 Landrigan
Carmela Vitale
Astri J. Baillie
Benjamin Wolkowitz
Patrick W. Rowe
Absent: Robert G. Catalanello, excused

Also Present:
Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Borough Administrator
Elizabeth Osborne, Borough Clerk
Matthew J. Giacobbe, Esq., Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Landrigan moved:

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

MINUTES FOR APPROVAL (1)
October 27, 2014
November 13, 2014
Date of public disclosure 60 days after conclusion, if disclosure required.

CONTRACT MATTERS (8)
YARD WASTE COLLECTION AND DISPOSAL BID
DPW MANAGEMENT STUDY
Regular Meeting Minutes – December 8, 2014

RECYCLING SERVICES AGREEMENT
TESTING & INSPECTION SERVICES FOR SUBSTATION DISTRIBUTION EQUIPMENT BID
2014 SANITARY SEWER MAIN LINING BID
ROAD IMPROVEMENT INSPECTION SERVICES
GVRS REDEVELOPER AGREEMENT
MADISON HOUSING AUTHORITY – RAD PROGRAM
Date of public disclosure 60 days after conclusion, if disclosure required.

PERSONNEL MATTERS (4)
PROGRAM DIRECTOR, PART-TIME, DDC
DEPARTMENT HEAD COMPENSATION
PART-TIME EMPLOYEE COMPENSATION
FMBA LABOR NEGOTIATIONS
Date of public disclosure 90 days after conclusion, if disclosure required.

LITIGATION MATTERS (1)
TAX APPEAL - 72 GARFIELD AVENUE
Date of public disclosure 60 days after conclusion, if disclosure required.

Seconded: Mr. Catalanello
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER
Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES
Mr. Rowe moved approval of the Executive Minutes of October 27, 2014. Mr. Wolkowitz seconded the motion, which passed with the following roll call vote recorded:

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

Ms. Baillie moved approval of the Regular Meeting Minutes of October 27, 2014. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

Ms. Baillie moved approval of the Executive Minutes of November 13, 2014. Mrs. Vitale seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe
Nays: None
Absent: Mr. Catalanello
Mr. Landrigan moved approval of the *Special Meeting Minutes of November 13, 2014*. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

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

**Nays:** None

**Absent:** Mr. Catalanello

**GREETINGS TO PUBLIC**

Mayor Conley made the following comments:

**MADISON 125TH ANNIVERSARY CELEBRATION**

Mayor Conley noted the history of the incorporation of the Borough of Madison on December 27, 1889 and welcomed former mayors and current Chatham Township Mayor Kevin Sullivan. Madison High School sophomore Ransom Silliman read an 1889 editorial from the *Madison Weekly Eagle*.

**Proclamation:**

Mayor Conley invited Former Mayors Gary E. Ruckelshaus, John J. Dunne, Ellwood ‘Woody’ Kerkeslager and Mary-Anna Holden forward and each read and presented the following Proclamation to celebrate Madison’s 125th Anniversary:

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**Proclamation**

of the

Borough of Madison

IN RECOGNITION OF THE 125TH ANNIVERSARY

OF MADISON, NEW JERSEY

---

**WHEREAS**, Madison, a borough located in Morris County in the State of New Jersey, was incorporated on December 27th, 1889 and adopted the borough form of government; and

**WHEREAS**, in 1776, the cluster of homes along Ridgedale Avenue and Kings Road was known as Bottle Hill, named for a village tavern, and during the Revolutionary War, a number of officers were garrisoned in the homes of Bottle Hill residents, namely, the Millers and the Sayres, whose homes still stand on Ridgedale Avenue today; and

**WHEREAS**, in 1809, the Madison Academy was built in an elaborate building on the corner of Park and Ridgedale Avenues, where children of the community continued to be educated for seventy-two years; and

**WHEREAS**, in 1825, a new Presbyterian Church building on Main Street, housing the First Presbyterian Church of the Township of Chatham, was dedicated. In 1846, it became known as the Presbyterian Church of Madison; and

**WHEREAS**, in 1834, in recognition of the fourth President and the desire of the local temperance movement, the village name was changed from Bottle Hill to Madison; and

**WHEREAS**, in 1837, the Morris and Essex Railroad came to Madison from Newark, changing the village forever. At first two horses pulled a small car over the single track line, but shortly after completion, a tiny steam locomotive provided the power for one passenger car and one freight car twice a day; and
WHEREAS, in 1856, the first greenhouse began operating when Alfred M. Treadwell built several greenhouses on his estate. For over a century, Madison has been known as the "Rose City"; and

WHEREAS, in 1866, Drew University was founded as the Drew Theological Seminary by the Methodist Episcopal Church with help from Daniel Drew, who donated part of the former William Gibbons Estate to the church. The Gibbons mansion was renamed Mead Hall after Drew's wife, Roxanna Mead; and

WHEREAS, in 1889, a Special Election ordered by Judge Francis Child was held on December 24, 1889 at a store building on Main Street. Residents voted to secede from Chatham Township so that Madison could have a municipal water supply and an electric utility. James P. Albright served as the first Mayor and continued in that capacity for fifteen years. The water plant was built in 1891 on Station Road and within five years the water and light utilities were self supporting;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the governing body, do hereby recognize the 125th Anniversary of the Borough of Madison and encourage all citizens to celebrate this momentous occasion.

________________________________________
Robert H. Conley, Mayor
December 8, 2014

Certificates:
Mayor Conley presented certificates to members of the championship Madison High School Girls Field Hockey Team.

Employee of the Month:
Mayor Conley announced the Employee of the Month for December is Laura Cole of the DDC for her excellent communication and organizational skills and for helping to grow the scope and reach of the Downtown Development Commission. Mayor Conley presented a proclamation to Mrs. Cole.

20th Anniversary
Marlene Dolan of the Health Department - December 20th.

REPORTS OF COMMITTEES

Health
Mr. Landrigan of the Committee made the following comments:
The Health Department continues to provide influenza vaccines for adults and children and annual cat and dog licenses must be renewed by January.

Public Works and Engineering
Mr. Catalanello, Chair of the Committee, absent

Utilities
Mrs. Vitale, Chair of the Committee, made the following comments:
Reporting for Mr. Catalanello, Mrs. Vitale noted that the five remaining roads in the 2014 Road Reconstruction program have been completed. The plans for reconstruction of Waverly Green parking lot are nearly complete and all bids
received for the Library HVAC replacement exceeded engineering estimate and will need to be rebid. The Capital Strategic Planning Committee will report to Council next month. The last round of leaf collection by the Department of Public Works is underway.

Public Safety
Ms. Baillie, Chair of the Committee, made the following comments:
Ms. Baillie noted a number of changes in the Madison Police Department including hiring of a new police officer and a dispatcher. Ms. Baillie thanked the public safety staff and wished everyone Happy Holidays.

Finance and Borough Clerk
Mr. Wolkowitz, Chair of the Committee, made the following comments:
Mr. Wolkowitz noted closing on the advance refunding bonds on December 4th and the Electric Utility Rebate program ended on December 1st, with 365 applications received. Mr. Wolkowitz also noted a contract agreement reached with the Fireman’s Benevolent Association.

Community Affairs
Mr. Rowe, Chair of the Committee, made the following comments:
Mr. Rowe announced that the Senior Center received notice from the Volunteer Management Center (VMC) will be closing at the end of the year: For the last 40 years, the VMC has taken great pride in connecting individuals and groups to volunteer opportunities through our affiliation with over 500 nonprofits, schools, and government agencies in New Jersey. While this closing was not unexpected, the Senior Center’s volunteers are looking forward to a re-organization of these programs under the management of Northwest New Jersey Community Action Partnership in January. Northwest has been instrumental in developing these types of programs for the county and their leadership will provide a timely and necessary restructuring. Harmony House held a ribbon-cutting ceremony on Wednesday, December 3rd, in their renovated facility on Division Avenue. We look forward to working with Micheline Hill in meeting the need for adult care resources.

Mayor Conley announced the annual Reorganization Meeting will be held January 1st at 12:00 noon.

COMMUNICATIONS AND PETITIONS- none

INVITATION FOR DISCUSSION (1 of 2)
Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. He/she shall limit his/her statement to three (3) minutes or less.

AGENDA DISCUSSIONS

12/08/2014-1 STRATEGIC PLANNING COMMITTEE – MUNICIPAL BUDGET
Thomas Bintinger, Chairman of the Budget Strategic Planning Committee presented the committee’s recommendations. The presentation includes observations that the Borough should maintain services, provide for contractual debt service and appropriate funds for continued capital improvements. The committee recommends
a firm but flexible budget process.

12/08/2014-2 MADISON ATHLETIC FOUNDATION QUARTERLY REPORT
Reporting for the Madison Athletic Foundation, Mrs. Brenda Catalanello presented a ceremonial check in the amount of $50,000. And reported a 4th quarter update, noting the total 2014 contribution of $150,000. The MAF is planning a spring fundraiser.

12/08/2014-3 GVRS REDEVELOPMENT PLAN AMENDMENT
Robert Powell, representing KRE offered a brief presentation to explain the proposed amendment and noted design plans will be submitted to the Planning Board, shortly Dean Marchetta, Architect, presented a visual demonstration explaining the difference in building height.

Ordinance 58-2014 is scheduled for hearing.

12/08/2014-4 COUNCIL BEST PRACTICES
Mayor Conley explained his goals for the Council Best Practices and noted he will spend time rewording the proposed document. Best Practices will not be on the Reorganization meeting agenda.

12/08/2014-5 CANCELLATION OF COMPLETED CAPITAL IMPROVEMENT ORDINANCES
Discussion items #5 through #9 were considered together. CFO Robert Kalafut provided explanation of annual cancellations, briefly noting each resolution. Resolutions R 330-334-2014 are listed on Consent Agenda.

12/08/2014-6 CANCELLATIONS OF OUTSTANDING CHECKS
Resolution R 331-2014 listed on the Consent Agenda

12/08/2014-7 CANCELLATION OF ONE (1) GENERAL CAPITAL GRANT RECEIVABLE
Resolution R 332-2014 listed on the Consent Agenda

12/08/2014-8 CANCELLATION OF CURRENT YEAR APPROPRIATION ELECTRIC UTILITY
Resolution R 333-2014 listed on Consent Agenda

12/08/2014-9 CANCELLATION OF EMERGENCY APPROPRIATION ELECTRIC UTILITY
Resolution R 334-2014 listed on Consent Agenda

12/08/2014-10 METC TEMPORARY USE OF SPACE AT THE HARTLEY DODGE MEMORIAL
Mr. Codey noted a request for courtesy use of office space at the Hartley Dodge Memorial from the staff at the Museum of Early Trades & Crafts. There was no objection to the request.

ADVERTISED HEARINGS
The Clerk made the following statement:
Ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on November 24, 2014, was introduced by title and
passed on first reading, was published in the Madison Eagle and made available to
members of the general public requesting same.
Mayor Conley called up Ordinance 58-2014 for second reading and asked the Clerk to
read said ordinance by title:

ORDINANCE 58-2014

ORDINANCE OF THE BOROUGH OF MADISON ADOPTING AN
AMENDED REDEVELOPMENT PLAN IN ACCORDANCE WITH N.J.S.A.
40A:12A-7

WHEREAS, on August 22, 2011, the Mayor and Council adopted Resolution
No. 192-2011 which determined that the property located at 33 Green Village Road
was an area in need of redevelopment as defined in N.J.S.A. 40A:12A-3 (hereafter
the “GVRS Redevelopment Area”); and

WHEREAS, pursuant to Ordinance 32-2011, the Mayor and Council adopted
a plan for redevelopment of the GVRS Redevelopment Area (the “GVRS
Redevelopment Plan”); and

WHEREAS, pursuant to Ordinance 38-2014 the Borough adopted an
amendment to the GVRS Redevelopment Plan, which superseded the
aforementioned plan adopted pursuant to Ordinance 32-2011; and

WHEREAS, on November 20, 2014, the Madison Planning Board voted to
recommend an amendment to the GVRS Redevelopment Plan (the “Amended
GVRS Redevelopment Plan”) and directed its planner, Susan G. Blickstein, to
transmit that plan to the Mayor and Council for adoption, pursuant to N.J.S.A.
40A:12A-7; and

WHEREAS, the proposed Amended GVRS Redevelopment Plan meets all
of the requirements of N.J.S.A. 40A:12A-7; and

WHEREAS, the area governed by the Amended GVRS Redevelopment Plan
is the same as defined in Resolution No. 192-2011.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the
Borough of Madison, County of Morris, State of New Jersey, that the Amended
GVRS Redevelopment Plan prepared by Susan G. Blickstein, AICP/PP, PhD as
amended and revised through November 24, 2014 is hereby adopted and it shall
replace and supersede the previous redevelopment plans adopted by Ordinance 32-
2011 and Ordinance 38-2014.

Mayor Conley opened up the public hearing on Ordinance 58-2014.
Deb Starker; Beverly Road, on behalf of Madison Arts and Cultural Alliance offered to provide input on the proposed performance space at the site of the former Green Village Road School property.

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

Ms. Baillie moved that Ordinance 58-2014, which was read by title, be finally adopted. Mr. Wolkowitz seconded the motion. There was no further Council discussion, and the motion passes with the following roll call vote recorded:

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

Mayor Conley declared Ordinance 58-2014 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**INVITATION FOR DISCUSSION (2 of 2)**
Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

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

**INTRODUCTION OF ORDINANCES-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. Landrigan 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: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe
Nays: None
Absent: Mr. Catalanello

R 326-2014  RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Madison has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and
WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act (P.L. 2001, c.30) authorizes the sale of surplus property no longer needed for public use through the use of an online auction services; and

WHEREAS, the Borough of Madison intends to utilize the online auction services of PropertyRoom.com located at www.propertyroom.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services’ Local Finance Notice 2008-9, 2008-21 R.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Borough is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.propertyroom.com.

BE IT FURTHER RESOLVED that the terms and conditions of the agreement entered into between PropertyRoom.com and the Borough of Madison are available at www.propertyroom.com and in the Borough Clerk’s office.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded by the Borough Clerk to the State of New Jersey Division of Local Government Services.

R 327-2014  RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING EXECUTION OF A THE DRUG FREE COMMUNITIES (DFC) MENTORING GRANT AGREEMENT

WHEREAS, the Madison Health Department Officer has recommended that the Borough of Madison enter into a Memorandum of Understanding (MOU) to allocate grant funds to implement substance abuse prevention programs; and

WHEREAS, this partnership will consist of the Community Coalition for a Safe and Healthy Morris (CCSHM) and Madison/Chatham Coalition for a Healthy Community (MCCHC) working to minimize and prevent substance abuse in our communities; and

WHEREAS, the recommendation has been considered at the Regular Public Meeting of the Borough Council on December 8, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris and State of New Jersey, that the Borough of Madison authorizes and supports the execution of the MOU which is attached hereto and made a part hereof. When received, the grant funds will be reflected, with no matching fund requirement from the Borough, in the 2015 municipal budget and utilized in support of the MOU obligation.
R 328-2014     RESOLUTION OF THE BOROUGH OF MADISON REJECTING BIDS FOR YARD WASTE COLLECTION AND DISPOSAL AND AUTHORIZATION FOR REBID

WHEREAS, the Borough of Madison publicly advertised for bids for Yard Waste Collection and Disposal in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, one (1) bid was received and the Borough Attorney determined that the sole bidder was non-responsive; and

WHEREAS, the Purchasing Officer has recommended that the bid be rejected pursuant to N.J.S.A. 40A:11-13.2(a) and rebid;

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 sole bid received on November 13, 2014 for Yard Waste Collection and Disposal is hereby rejected for the reasons set forth herein and the Borough Administrator is authorized to solicit new bids.


WHEREAS, an appeal of the real property tax assessment for tax years 2013 and 2014 involving Block 4402, Lot 14, has been filed by the Taxpayers, Jean Can de Walle and Ana Wong; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated as if set forth at length herein, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Borough of Madison.

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

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

<table>
<thead>
<tr>
<th>72 Garfield Avenue</th>
<th>Year 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Original Assessment</strong></td>
<td><strong>County Board Judgment</strong></td>
</tr>
<tr>
<td>Land: $ 780,000</td>
<td>N/A</td>
</tr>
<tr>
<td>Imprvts: $ 433,600</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Total: $1,213,000 N/A $1,213,000

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

72 Garfield Avenue

Year 2014

<table>
<thead>
<tr>
<th></th>
<th>Original Assessment</th>
<th>County Board Judgment</th>
<th>Settlement Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land:</td>
<td>$780,000</td>
<td>N/A</td>
<td>$780,000</td>
</tr>
<tr>
<td>Improvs:</td>
<td>$433,600</td>
<td>N/A</td>
<td>$320,000</td>
</tr>
<tr>
<td>Total:</td>
<td>$1,213,000</td>
<td>N/A</td>
<td>$1,100,000</td>
</tr>
</tbody>
</table>

3. The parties agree that there will not be an added assessment for work done on refurbishing bathrooms.

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

R 330-2014  RESOLUTION OF THE BOROUGH OF MADISON CANCELLING COMPLETED CAPITAL IMPROVEMENT ORDINANCES

WHEREAS, the Chief Financial Officer has reviewed a list of open capital projects with the appropriate department head and has determined that several capital projects have been completed and the improvement authorization accounts should be closed; and

WHEREAS, the Chief Financial Officer has recommended that the Council adopt a Resolution canceling the open dollar balances in such completed projects; and

WHEREAS, the Borough Council has determined to make such cancellation.

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 list of open capital projects annexed hereto are hereby cancelled.

R 331-2014  RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CANCELLATION OF OLD OUTSTANDING CHECKS

WHEREAS, the Madison Borough Chief Financial Officer has recommended that old outstanding checks be canceled as being out of date; and
WHEREAS, the Chief Financial Officer has indicated that the Chief Accountant has recommended these items should be canceled.

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. All outstanding checks and charges listed on the attached Memorandum dated November 26, 2014 from Kim Kientz, Chief Accountant/Tax Collector, to Robert F. Kalafut, Chief Financial Officer, be canceled.

2. The Chief Financial Officer is authorized to take whatever action is necessary to effectuate this Resolution.

R 332-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CANCELLATION OF ONE OUTSTANDING GENERAL CAPITAL GRANT RECEIVABLE

WHEREAS, the Madison Borough Chief Financial Officer has recommended that one (1) outstanding General Capital Grant Receivable be cancelled.

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 General Capital Grant Receivable listed on the attached schedule prepared by the Chief Financial Officer be cancelled.

2. The Chief Financial Officer is authorized to take whatever action is necessary to effectuate this Resolution.

R 333-2014 RESOLUTION OF THE BOROUGH OF MADISON CANCELLING THE 2014 CURRENT YEAR APPROPRIATION IN THE ELECTRIC UTILITY

WHEREAS, the Chief Financial Officer has reviewed the current budget for wholesale purchased power and has determined that $250,000.00 will not be spent due to the mild summer weather and a large consumer’s reduced energy requirements; and

WHEREAS, the Chief Financial Officer has recommended that the Council adopt a Resolution canceling $250,000.00 in the 2014 current year appropriation in
the Electric Utility Account 5-09-55-500-430 (Wholesale Purchase of Power) thus reducing the amount to $13,500,000.00; and

WHEREAS, the Borough Council has determined to make such cancellation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that $250,000.00 of the 2014 current year appropriation for the Electric Utility Account 5-09-55-500-430 is hereby cancelled.

R 334-2014 RESOLUTION OF THE BOROUGH OF MADISON CANCELLING THE EMERGENCY APPROPRIATION IN THE ELECTRIC UTILITY

WHEREAS, Resolution R 337-2013 authorized an emergency appropriation for the cost of wholesale purchased power in the 2013 municipal budget; and

WHEREAS, the Chief Financial Officer has recommended that the Council adopt a Resolution canceling the open balance of $319,126.55 in the 2013 Emergency Appropriation for the Electric Utility; and

WHEREAS, the Borough Council has determined to make such cancellation.

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 open balance of $319,126.55 in the 2013 Emergency Appropriation for the Electric Utility is hereby cancelled.

R 335-2014 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO GOVERNMENT MANAGEMENT ADVISORS, LLC OF EAST BRUNSWICK, NJ FOR A DEPARTMENT OF PUBLIC WORKS MANAGEMENT STUDY

WHEREAS, the Borough Administrator has recommended that the Borough obtain professional services from Government Management Advisors, LLC for a Department of Public Works Management Study; and

WHEREAS, the Borough Administrator has recommended that the Borough Council award such Contract to Government Management Advisors, LLC, in an amount not to exceed $14,000.00, for the Department of Public Works Management Study; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed $14,000.00 for this purpose in Account 4-01-35-470-25.
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 service contract for professional management services with Government Management Advisors, LLC, for a DPW Management Study in an amount not to exceed $14,000.00, such contract to be in a form approved by the Borough Attorney.

R 336-2014 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATIONS SUBMITTED BY ST. VINCENT MARTYR CHURCH

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:

ST. VINCENT MARTYR CHURCH I.D. No. 274-1-812
R.A. No. 1334 – On Premise Merchandise
R.A. No. 1335 – On Premise Merchandise
R.A. No. 1336 – Off Premise Merchandise
R.A. No. 1337 – Off Premise Merchandise
Date of Raffles: March 21, 2015

R 337-2014 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING COLLECTIVE BARGAINING AGREEMENT WITH THE FMBA

WHEREAS, the Borough of Madison (“Borough”) commenced collective negotiations with each of its employee bargaining units; and

WHEREAS, the Borough was able to successfully negotiate a collective bargaining agreement with the Fireman’s Mutual Benevolent Association Local No. 74 for the period January 1, 2014 to December 31, 2017; and

WHEREAS, the Mayor and Council having considered the specific terms and conditions contained in the memorandum of agreement for the above-enunciated bargaining unit;

NOW THEREFORE BE IT RESOLVED as follows:
1. The Mayor and Council approve the agreement for the above bargaining unit; and

2. The Mayor and Council hereby authorize the Borough Administrator, Raymond M. Codey and Mayor Robert H. Conley to execute the finalized collective bargaining agreement without further action being necessary; and
3. The Mayor and Council authorize Borough Administrator Raymond M. Codey to effectuate the collective bargaining agreement upon execution by all necessary parties.

R 338-2014 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO EN-TECH CORPORATION IN THE AMOUNT OF $140,100.00 FOR THE 2014 SANITARY SEWER MAIN LINING PROGRAM

WHEREAS, the Borough of Madison publicly advertised for bids for the 2014 Sanitary Sewer Main Lining Program (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 En-Tech Corporation in the amount of $140,100.00; and

WHEREAS, the Borough Engineer has recommended that the Borough Council award the contract to En-Tech Corporation in the amount of $140,100.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed $140,100.00 for this purpose which funds were appropriated by Ordinance 33-2014.

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 2014 Sanitary Sewer Main Lining Program is hereby awarded to En-Tech Corporation based upon its bid in the amount of $140,100.00.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into the contract with En-Tech Corporation in a form acceptable to the Borough Attorney.

R 339-2014 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY OWNER’S LICENSE FOR MADISON LIMOUSINE SERVICE FOR 2015

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owner’s License renewal be approved for the year 2015.

<table>
<thead>
<tr>
<th>LICENSE NO.</th>
<th>NAME</th>
<th>Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-7, 15-8</td>
<td>340 Main Street, Madison</td>
<td></td>
</tr>
</tbody>
</table>
WHEREAS, the Borough of Madison previously awarded a contract to Dennis Harrington, P.E., for professional engineering services regarding the 2014 Road Improvements Program; and

WHEREAS, additional services were requested of Dennis Harrington, P.E., for field inspection work for the 2014 Road Improvement Program; and

WHEREAS, the Borough Engineer has recommended that the Borough amend the contract with Dennis Harrington, P.E., for these services at an additional amount of $17,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available for this purpose in Ordinance 2-2014.

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. An amendment to the contract between the Borough and Dennis Harrington, P.E., as described herein is approved; and

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute the amendment to the contract with Dennis Harrington, P.E., in a form acceptable to the Borough Attorney.

WHEREAS, the Borough Recycling Coordinator has recommended to the Borough Council that it enter into a contract with WM Recycle America for a term of two (2) years with the option to renew for up to three (3) additional one (1) year terms for the disposal of paper items and commingled containers; and

WHEREAS, the Borough Council has determined that the Borough should award a contract to WM Recycle America for the disposal of paper items and commingled containers for a period of two (2) years with the option to renew for up to three (3) additional one (1) year terms, effective January 1, 2015, based on the
terms and pricing and payment information set forth in the Recycling Services Agreement dated ______________, from WM Recycle America; and

WHEREAS, said services would involve the disposal of recyclable materials for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(S); and

WHEREAS, this contract and any renewals thereof is expressly contingent upon adequate funds for these purposes being allocated in the annual municipal budget of the Borough of Madison for each year of the contract term.

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 hereby authorized to enter into, on behalf of the Borough, a contract with WM Recycle America, for the disposal of paper items and commingled containers for a period of two years, effective January 1, 2015, with the option to renew for up to three (3) additional one (1) year terms, on the basis set forth above. The contract shall be 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 342-2014     RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF THEATER LICENSE FOR BOW TIE CINEMAS FOR 2015

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

Company Name:  BTC HOLDINGS 409, LLC
Name of Theater:  BOW TIE CINEMAS
Location of Theater:  14 LINCOLN PLACE
                 MADISON, NEW JERSEY

R 343-2014     RESOLUTION OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, NEW JERSEY, WITH RESPECT TO THE ISSUANCE AND SALE BY THE MADISON HOUSING AUTHORITY OF ONE OR MORE SERIES OF HOUSING REVENUE BONDS (RENTAL ASSISTANCE DEMONSTRATION PROJECT), SERIES 2015 AND AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION THEREWITH

WHEREAS, the Madison Housing Authority (the “Authority”) is a public body corporate and politic, constituting an instrumentality of the State of New Jersey
WHEREAS, the Authority owns and operates residential rental public housing projects, for which it has received approval from the United States Department of Housing and Urban Development ("HUD") to convert to multifamily housing under the Rental Assistance Demonstration program, P.L. 112-55 (2012) ("RAD"), administered by HUD;

WHEREAS, the Act authorizes the Authority to issue bonds (N.J.S.A. 40A:12A-16(5) and -29);

WHEREAS, in furtherance of the purposes of the Act, the Authority proposes to issue one or more series of bonds in an aggregate principal amount not to exceed $1,850,000 (the “Bonds”), upon substantially the terms and conditions contained in the commitment letter attached hereto as Exhibit A (as such terms may be further negotiated by the Authority), and to apply the proceeds of the Bonds to finance capital improvements to the housing projects that are subject to the RAD program, to refund existing debt and/or pay costs in connection therewith;

WHEREAS, the Bonds, when issued, will be special and limited obligations of the Authority, neither the Borough, nor any political subdivision thereof (other than the Authority, but solely to the extent of the trust estate as defined in the Bond Resolution (defined below)), will be obligated to pay the principal or redemption price of, or interest on, the Bonds, and neither the faith and credit nor the taxing power of the Borough or any political subdivision thereof will be pledged to the payment of the principal or redemption price of, or interest on, the Bonds;

WHEREAS, the Bonds will be issued pursuant to the terms of the Act, the Bond Resolution, other applicable law and agreements and a resolution to be adopted by the Authority prior to the issuance of the Bonds (collectively, together with any amendments or supplements, the “Bond Resolution”); and

WHEREAS, if required in the judgment of bond counsel to the Authority, the Authority will conduct a public hearing with respect to the Bonds pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), following public notice published in one or more local newspapers;

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF MADISON as follows:

Section 1. The Authority proposes to issue one or more series of Bonds in accordance with a Bond Resolution in an aggregate principal amount not to exceed $1,850,000 to (i) finance capital improvements to the housing projects that are subject to the RAD program, (ii) refund existing debt, and/or (iii) pay costs in
connection therewith. The Bonds shall be dated, shall bear interest at such rate of interest, and shall be payable as to principal, interest and premium, if any, all as is approved by the Authority and specified in the Bond Resolution; provided, however, that the Bonds shall bear interest at an initial stated interest rate not in excess of the tax exempt equivalent of the 5/25 Federal Home Loan Bank Amortizing Advance Rate plus 2% per annum¹, which interest rate shall change on the fifth (5th) anniversary of the closing date, and on each subsequent five (5) year anniversary thereafter, equal to an annual rate of two percent (2%) per annum in excess of the tax exempt equivalent of the then prevailing five (5) year Federal Home Loan Bank Amortizing Annual Rate (subject to rounding). In no event, however, shall the interest paid on the Bonds ever be less than 2.5% per annum. In addition, each five (5) year interest rate adjustment shall be subject to a maximum increase of 2.5% over the preceding 5-year rate. The Bonds shall mature no later than twenty-six (26) years from the date of issuance of the Bonds and shall be subject to redemption prior to maturity (provided that any redemption premium shall not exceed three percent (3%) of the principal amount prepaid). The Bonds, when issued, will be special and limited obligations of the Authority. Neither the Borough, nor any political subdivision thereof (other than the Authority, but solely to the extent of the trust estate as defined in the Bond Resolution), will be obligated to pay the principal or redemption price of, or interest on, the Bonds. Neither the faith and credit nor the taxing power of the Borough nor any political subdivision thereof will be pledged to the payment of the principal or redemption price of, or interest on, the Bonds. Nothing in the Bonds or the Bond Resolution will assign or pledge therefor any other funds or assets of the Authority or the Borough.

Subject to satisfaction of the conditions set forth below, the Borough hereby finds and determines, in accordance with N.J.S.A. 40A:12A-29d, that the rate of interest, as described above, is in the best interest of the Borough. The Authority shall establish, to the satisfaction of the Borough Administrator at or before the issuance of the Bonds, that the Authority has either performed, or covenanted to perform, each of the following conditions:

(1) The proceeds of the Bonds shall be applied to: (i) finance capital improvements to the Authority’s housing projects that are subject to the RAD program; (ii) refund existing debt; and/or (iii) pay costs in connection therewith. The proceeds of the Bonds shall not be used for any other purpose without the prior written consent of the Borough Administrator.

(2) The two elevators at the Rexford Tucker Apartments will be repaired/replaced on an expedited basis.

¹ For illustration purposes only, on December 4, 2014, the 5/25 Federal Home Loan Bank Amortizing Advance Rate was 2.07%, plus 2% equals 4.07%. After adjusting for the bank’s tax exempt equivalent rate (approximately 59%), the stated interest rate on the Bonds according to the index would be 2.4% (i.e., 59% of 4.07%). Because the index results in a rate lower than the 2.5% floor, the initial stated interest rate on the Bonds would be 2.5%. Note that the foregoing rates are subject to change.
(3) Borough residents shall continue to have preference for affordable housing units owned by the Authority.

(4) The Authority shall agree to provide an annual report of its activities to the Borough and to discuss its annual audit at a public Council Meeting of the Borough while Bonds are outstanding.

(5) All Authority housing projects that are subject to the RAD program shall have a recorded restrictive covenant mandating their use for affordable housing for a minimum term of 25 years from the date of issuance of the Bonds. The Authority shall grant the Borough the right to require the Authority to extend the restriction period for an undetermined length.

(6) The Board of the Authority shall meet with the Board of Madison Affordable Housing Corporation (the “Corporation”) to discuss transferring ownership of the Corporation’s 24 affordable housing units in the Borough to the Authority to take advantage of the RAD operational program benefits.

(7) The Authority shall provide a copy of the closing transcript with respect to the Bonds to the Borough.

Section 2. If a public hearing is required in the judgment of bond counsel to the Authority, the Mayor of the Borough is hereby authorized, as the applicable elected representative, as such term is defined in Section 147(f) of the Code, to approve of the issuance of the Bonds after a public hearing in satisfaction of the requirements of Section 147(f)(2) of the Code, and this resolution shall be evidence of such authorization.

Section 3. The Mayor, Borough Administrator and Borough Chief Financial Officer are each hereby authorized and directed to execute and deliver such documents, and to take such other action as may be necessary or appropriate in order to consummate the transactions contemplated hereby.

Section 4. A copy of this Resolution shall be filed with the Clerk of the Borough of Madison. This resolution shall take effect upon the adoption hereof.

R 344-2014 RESOLUTION OF THE MADISON BOROUGH COUNCIL AUTHORIZING FIRST AMENDMENT TO THE REDEVELOPER AGREEMENT BETWEEN THE BOROUGH OF MADISON AND KRE MADISON NJ URBAN RENEWAL, LLC FOR PROPERTY AT 33 GREEN VILLAGE ROAD DESIGNATED AS BLOCK 3001, LOT 8

WHEREAS, KRE Madison NJ Urban Renewal, LLC and the Borough of Madison entered into a Redeveloper Agreement dated May 28, 2014; and

WHEREAS, the Madison Planning Board’s recent approval requires that an Amendment to the Redeveloper Agreement be entered into between KRE Madison NJ Urban Renewal, LLC and the Borough of Madison; and
WHEREAS, the Madison Borough Administrator has recommended that the attached First Amendment to the Redeveloper Agreement be entered into.

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

1. The First Amendment to the Redeveloper Agreement between KRE Madison NJ Urban Renewal, LLC and the Borough of Madison regarding the proposed redevelopment on Lot 8, Block 3001 is hereby approved.
2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to enter into such agreement on behalf of the Borough of Madison in a form acceptable to the Borough Attorney for recording in the Morris County Clerk’s Office.

R 345-2014 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO CENTRAL AVENUE SCHOOL

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

PTO CENTRAL AVENUE SCHOOL
I.D. No. 274-5-23982
R.A. No. 1338 – On Premise
January 17, 2015

R 346-2014 RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE PURCHASE OF PREVENTIVE MAINTENANCE, TESTING AND INSPECTION SERVICES FOR JAMES PARK AND KINGS ROAD ELECTRICAL SUBSTATION DISTRIBUTION EQUIPMENT

WHEREAS, the Borough of Madison publicly advertised for bids for the purchase of Preventive Maintenance, Testing and Inspection Services for James Park and Kings Road Electrical Substation Distribution Equipment (“Electrical Inspection”) in accordance with Local Public Contract Law N.J.S.A. 40A:11 et seq.; and

WHEREAS, the Borough received two bids for the work; and

WHEREAS, after review by the Borough Staff and Attorney, it was determined that the bid specification needed to be revised and clarified to effectuate the work intended by the Borough; and
WHEREAS, these revisions include, but are not limited to, the revising of the bid proposal sheet to include hourly rates and estimated hours for additional and emergency work, revising the required submission list to include resumes of employees assigned to the project, detailing the equipment to be serviced, clarifying the required experience, and limiting the use of subcontractors.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris, State of New Jersey, that all bids for the purchase of Preventive Maintenance, Testing and Inspection Services for James Park and Kings Road Electrical Substation Distribution Equipment are hereby rejected for the reasons set forth herein and the Borough Staff is authorized and directed to revise the bid procurement document.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS
On motion by Mr. Landrigan, 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.

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety</td>
<td>$29,797.19</td>
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<tr>
<td>Health &amp; Public Assistance</td>
<td>3,578.78</td>
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<tr>
<td>Public Works &amp; Engineering</td>
<td>187,358.03</td>
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<td>Community Affairs</td>
<td>7,158.29</td>
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<tr>
<td>Finance &amp; Borough Clerk</td>
<td>3,858,599.84</td>
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<tr>
<td>Utilities</td>
<td>429,384.43</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4,515,876.56</strong></td>
</tr>
</tbody>
</table>

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

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

NEW BUSINESS - None

ADJOURN
There being no further business to come before the Council, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved January 12, 2015 (EO)