

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL SPECIAL MEETING
AUGUST 1, 2016**

A Special Meeting of the Mayor and Council was held on August 1, 2016 at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:05 pm.

Council President Mitchell presided and stated: I hereby announce and request that such be included in the minuets of this meeting that notice of the time, place and date of the meeting has been prominently posted on the bulletin board at the Borough Hall, mailed to The Times, the Star Ledger, the Courier News, PATCH and Alternative Press, filed with the Borough Clerk and mailed to any person requesting the same in accordance with the requirements of the Open Public Meetings Act.

Present: Kevin Boris, Russell Huegel, Tom Kranz, Katherine Mitchell
Erin Mcelroy Barker arrived later
Absent: Colleen Mahr
Also Present: Eleanor McGovern, Ryan McInerney for Dan McCarthy, Frederick Tomkins, Peter Bondar

Council President Mitchell stated that this Special Meeting was being held to consider the transfer of a liquor license, the renewal of a liquor license, an amendment to a Recycling Agreement, a change order on a construction contract and a payment to a contractor.

NEW BUSINESS

A. Administration and Finance (Russell Huegel)

Resolution 16-08-108

Huegel/Kranz moved to adopt Resolution 16-08-108. Motion carried on the following roll call vote.

BE IT RESOLVED by the Governing Body of the Borough of Fanwood, County of Union, State of New Jersey, that the Borough of Fanwood Governing Body does hereby approve, effective June 30, 2016, nunc pro tunc, the transfer of the aforesaid Plenary Retail Consumption License 2005-33-004-011 to Sheelen’s Crossing, LLC and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Sheelen’s Crossing, LLC effective June 30, 2016”.

FOR: Huegel, Kranz, Boris, Mitchell, Molenaar
AGAINST: None
ABSTAIN: None
ABSENT: Mcelroy-Barker

Resolution 16-08-109

Huegel/Kranz moved to adopt Resolution 16-08-109. Motion carried on the following roll call vote.

WHEREAS, an application for a liquor license renewal for license year 2016-2017 has been completed by the applicant and WILL BE submitted to ABC; the required fee was paid to the Borough; and a tax clearance certificate from the NJ Department of the Treasury has been received for the following license:

Plenary Retail Consumption License:

SHEELLEN’S CROSSING LLC
200 South Avenue
Fanwood, New Jersey 07023
2005-33-004-011

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a liquor license be issued, to SHEELEN'S CROSSING LLC, for the period July 1, 2016 through June 30, 2017, for the license listed above.

FOR: Huegel, Kranz, Boris, Mcelroy-Barker, Mitchell, Molenaar
AGAINST: None
ABSTAIN: None
ABSENT: None

Resolution 16-08-110

Huegel/Boris moved to adopt Resolution 16-08-110. Motion carried on the following roll call vote.

RESOLUTION OF THE BOROUGH OF FANWOOD AUTHORIZING AN AMENDMENT TO THE AGREEMENT BETWEEN THE BOROUGH OF FANWOOD AND THE FANWOOD-SCOTCH PLAINS RECYCLING ASSOCIATION

WHEREAS, the Fanwood-Scotch Plains Recycling Association (the "Association") and the Borough of Fanwood (the "Borough") entered into a certain Recycling Agreement dated April 1, 2007 (the "Agreement") for the purpose of having the Association conduct various aspects of recycling on the Borough under the direction of the Borough's Recycling Coordinator, including, but not limited to, operating the Recycling Center owned by the Borough and the marketing of those recyclable materials; and

WHEREAS, the Association has provided notice of termination pursuant to the terms of the Agreement; and

WHEREAS, the Association has advised the Borough that certain non-profit community organizations provided services to the Recycling Center and has requested that the Borough make payment directly to those organizations up to a total maximum amount of \$8,400.00; and

WHEREAS, the Borough has determined it to be in the best interest of the Borough to make payments directly to those entities having provided recycling services to the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein by reference.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute an Amendment to the Agreement between the Borough and the Association in substantially the same form as attached hereto as Exhibit A, subject to approval by the Borough Attorney, and, together with all other officers, professionals and employees of the Borough, are hereby further authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
3. A copy of this Resolution shall be available for public inspection at the office of the Borough Clerk.
4. This Resolution shall take effect immediately.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Mitchell, Molenaar
AGAINST: None
ABSTAIN: None
ABSENT: None

Resolution 16-08-111

Huegel/Boris moved to adopt Resolution 16-08-111. Motion carried on the following roll call vote.

WHEREAS, a miscalculation occurred in determining the total cost of a contract with Kaltech Engineering the total of which was adopted through Resolutions 15-08-134 and 15-12-188 in amount of \$106,580.00, and

WHEREAS, this cost needs to be reduced to \$105,680.00 a decrease of \$900.00 through Change Order No. 2.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that the total amount to be paid to Kaltech Engineering for construction of the Forest Road Skate Board Park is \$105,680.00.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Borough Treasurer and Kaltech Engineering.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Mitchell, Molenaar
AGAINST: None
ABSTAIN: None
ABSENT: None

Resolution 16-08-112

Huegel/Kranz moved to adopt Resolution 16-08-112. Motion carried on the following roll call vote.

WHEREAS, Kaltech Engineering has submitted an invoice for work completed in the amount of \$20,047.13 which has been approved by ARH Architects for payment.

NOW, THEREFORE BE IT RESOLVED by the Borough Council that the second invoice submitted by Kaltech Engineering for construction of the Forest Road Skate Board Park be paid.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Borough Treasurer for payment.

FOR: Huegel, Kranz, Boris, Mcelroy-Barker, Mitchell, Molenaar
AGAINST: None
ABSTAIN: None
ABSENT: None

MEETING OPEN TO THE PUBLIC

Boris/Kranz moved to open the meeting to the public. Motion carried.

Harold Clark, Second Street, thanked Council for paying the non-profits and asked if the Borough could relieve some of the debt of the Recycling Association. He also hoped that the teaching children about recycling would be carried on in the future.

Harry McNally, Second Street, said he visited the Colgate facility. He also mentioned that he would be working for Fanwood on Wednesdays at the Recycling Center.

Kranz/Mitchell moved to close the meeting to the public. Motion carried.

ADJOURNMENT

Kranz/Molenaar moved to adjourn at 7:25 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern, Borough Clerk