

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL SPECIAL MEETING
FEBRUARY 7, 2017**

This Special Meeting of the Mayor and Council was held on February 7, 2017 at Fanwood Borough Hall, 75 North Martine Avenue, Fanwood, NJ at 7:00 pm.

Mayor Mahr presided and stated; I hereby announce and request that such be included in the minutes 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, Alternate 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, Erin Mcelroy-Barker, Katherine Mitchell, Jack Molenaar

Absent: None

Also Present: Colleen Mahr, Eleanor McGovern, Frederick Tomkins, Diane Dabulas for Daniel McCarthy, Antonios Panagopoulos, Liz Jeffery

Mayor Mahr stated that this meeting was being held to consider the adoption of two ordinances, the appointment of a Construction Official and Building Sub Code Official, and the authorization for the Mayor to sign a permit for Station Square.

OLD BUSINESS

A. Administration and Finance (Councilman Huegel)

Ordinance 17-01-R

Huegel/Mitchell moved to open the Public Hearing on Ordinance 17-01-R. Motion carried.

No one spoke.

Huegel/Mitchell moved to close the hearing. Motion carried.

Huegel/Mitchell moved to adopt Ordinance 17-01-R on second reading. Motion carried on the following roll call vote.

**AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION, AND
STATE OF NEW JERSEY, AMENDING THE EXEMPTION AND ABATEMENT FOR
COMMERCIAL AND INDUSTRIAL STRUCTURES IN REHABILITATION AREA**

WHEREAS, pursuant to the Five Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., a municipality having within its corporate limits areas in need of rehabilitation or redevelopment may, by ordinance, provide for the exemption and/or abatement of real property taxes, to encourage and provide incentives for the construction, redevelopment and rehabilitation of industrial and commercial structures; and

WHEREAS, the Borough Council (the “Council”) of the Borough of Fanwood (the “Borough”)

previously designated certain real properties along South Avenue identified as Block 55, Lots 5.01, 7.01, 8, 9.01, 10, 11 and 11.01, and Block 57, Lot 1, on the official tax map of the Borough as an area in need of rehabilitation called the “Old South Avenue Rehabilitation Area” in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.(“LRHL”); and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq. the Borough of Fanwood passed an ordinance which provides for assessments for five years following completion of a project as defined in the statute and the exemption or abatement of property taxes for new construction for a five-year period following completion of the project as defined in the statute.

WHEREAS, in accordance with N.J.S.A. 40A:12A-14, the Mayor and Council designated additional real properties along South Avenue identified on Exhibit “A” attached to the Resolution No. 16-09-143 as an area in need of rehabilitation and added to and incorporated the additional properties within the Old South Avenue Rehabilitation Area; and

WHEREAS, the Borough desires to extend the real estate tax incentives to these additional commercial and industrial structures within the Old South Avenue Rehabilitation Area; and

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

Section 1. That Chapter 268 Taxation, Article 1, Exemption and Abatement for Commercial and Industrial Structures in Rehabilitation Area, Section 268-4 Rehabilitation Area, be and is hereby amended by deleting and replacing with the following:

4. Rehabilitation Area.

All commercial and industrial structures located within the following defined area in need of rehabilitation shall be eligible for tax abatement under this chapter:

Tax Block 55, Lots 1, 2, 4, 5.01, 7.01, 8, 9.01, 10, 11, 11.01, 12, 13, 14, 15, 15.01, 16, 17, 18, 19

Block 56, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

Block No. 57, Lot No. 1

Block 60, Lot 1, 2, 3, 4

Block 61, Lots 2.01, 2.02, 3, 4

Block 62, Lot 2

Block 65, Lots 1, 2, 3, 11, 12, 14

Block 66, Lots 1, 2, 3, 6, 9, 10, 11, 14

Block 69, Lots 1, 5, 6

Block 91, Lots 1.01, 3.01, 6, 26

Section 2. All other provisions of Chapter 268 shall remain in full force and effect.

Section 3. If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section 4. This Ordinance shall take effect as provided by law.

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

NEW BUSINESS

A. Administration and Finance (Councilman Molenaar)

Resolution 17-02-44

Huegel/Molenaar moved to adopt Resolution 17-01-44. Motion carried.

WHEREAS, Station Square at Fanwood Urban Renewal, LLC needs to submit a required Treatment Works Approval Permit Application to the Department of Environmental Protection, and

WHEREAS, this application requires the Governing Body's consent to the submission of the application, and

WHEREAS, the application has been reviewed by the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby authorizes the Mayor to sign the application.

Resolution 17-02-45

Huegel/Kranz moved to adopt Resolution 17-02-45. Motion carried.

WHEREAS, due to the retirement of Bruce Helmstetter, Construction Official, it is necessary to appoint a temporary Construction Official; and appoint a Building Sub Code Official with an HHS license for construction and site plans review.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby appoints John McManus as Construction Official and appoints Jeffrey Heiss as Building Sub Code Official up to 60 days, expiring on April 7, 2017.

Ordinance 17-02-R

Huegel/Boris moved to adopt Ordinance 17-02-R on first reading. Motion carried.

AN ORDINANCE APPROVING AND AUTHORIZING THE BOROUGH OF FANWOOD TO EXECUTE A FINANCIAL AGREEMENT WITH STATION SQUARE AT FANWOOD URBAN RENEWAL, LLC

Public Hearing and adoption will be held on February 21, 2017.

PRIVILEGE OF THE FLOOR BY THE PUBLIC

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

No one spoke.

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

ADJOURNMENT

Mitchell/Kranz moved to adjourn at 7:20 pm. Motion carried.

Respectfully submitted.

Eleanor McGovern
Borough Clerk