

**BOROUGH OF FANWOOD  
MAYOR AND COUNCIL REGULAR MEETING  
JANUARY 28, 2014**

The Regular Meeting of the Mayor and Council was held on January 28, 2014 at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:10 PM.

Mayor Colleen Mahr presided and stated: I hereby announce and request that such be included in the minutes of the meeting that notice of time, place and date of this meeting has been prominently posted on the bulletin board at Borough Hall; mailed to the Times, The Star Ledger, Courier News, PATCH, Alternate Press by January 10, 2014 filed with the Borough Clerk and mailed to any person requesting same in accordance with the requirements of the Open Public Meeting Act

The Pledge of Allegiance was led by Mayor Mahr.

Eleanor McGovern, Borough Administrator, gave the invocation

Present: Russell Huegel, Tom Kranz, Katherine Mitchell, Daniel Levine, Jack Molenaar, Kevin Boris arrived later

Absent: None

Also Present: Mayor Colleen Mahr, Eleanor McGovern, Dennis Estis, Peter Bondar

**MINUTES**

Kranz/Mitchell moved to accept the following minutes as presented. Motion carried.

Reorganization Meeting      January 1, 2014

Molenaar/Huegel moved to accept the following minutes as presented. Motion carried. Councilman Kranz abstained.

Regular Meeting                  December 17, 2013

**APPOINTMENTS/RESOLUTIONS/PROCLAMATIONS/PRESENTATIONS**

**Appointments:**

Mayor Mahr made the following appointments for the Planning Board  
Elizabeth Hogan, Regular Member, term expiring 12/31/2017.  
Joan Wheeler, Alt. #2, term expiring 12/31/2014.

**Resolution:**

Councilwoman Mitchell read the following Resolution. Huegel/Kranz moved to accept it. Motion carried.

**REVEREND MARTIN LUTHER KING, JR.**

**WHEREAS**, in the history of America, a great leader rarely stood beside us who had such strong convictions and great dreams for the future welfare of his people as did **REVEREND MARTIN LUTHER KING, JR.**, and

**WHEREAS**, **this** determined man struggled and died for the cause of justice and freedom, and

**WHEREAS, DR. MARTIN LUTHER KING, JR.** when awarded the Nobel Peace Prize in December 1964, because of his nonviolent fight against racial injustice, stated: "this award is a profound recognition that nonviolence is the answer to the crucial political and moral questions of our time: the need for man to overcome oppression and violence without resorting to violence and oppression", and

**WHEREAS, REVEREND MARTIN LUTHER KING, JR.,** a great civil rights leader, is honored and remembered each year throughout the nation through prayer and civic services on Martin Luther King Day.

**NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council of the Borough of Fanwood hereby urge the residents of Fanwood to recognize the efforts of the **REVEREND MARTIN LUTHER KING, JR.** on this special day, to incorporate the beliefs and dreams of this great man: that diversity needs to be embraced; and to reflect on his determination, spirit and resolve through which he led one of the greatest movements for equality and freedom in history.

Huegel/Kranz moved to accept this resolution Motion carried.

**Proclamation:**

Mayor Mahr read the following Proclamation.

**NATIONAL WEAR RED DAY**

**WHEREAS,** heart disease kills more women than all forms of cancer combined, but is often undiagnosed; and

**WHEREAS,** ninety percent of women have one or more risk factors for developing heart disease, yet only one in five American women believe that heart disease is her greatest health threat; and

**WHEREAS,** since 1984, more women than men have died each year from heart disease and the gap between men and women's survival continues to widen; and

**WHEREAS,** women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

**WHEREAS,** the American Heart Association's Go Red For Women® movement has been impacting the health of women for 10 years and more than 627,000 women's lives have been saved and 330 fewer women are dying every day; and

**WHEREAS,** In celebration of the 10<sup>th</sup> Birthday of National Wear Red Day on February 7, 2014, Go Red For Women is asking all women across America to Go Red by wearing red and speaking red.

- *Get Your Numbers:* Ask your doctor to check your blood pressure and cholesterol.
- *Own Your Lifestyle:* Stop smoking, lose weight, exercise and eat healthy.
- *Realize Your Risk:* Women think it won't happen, but heart disease is the cause of 1 in 3 female deaths each year.
- *Educate Your Family:* Make healthy food choices for you and your family. Teach your kids the importance of staying active.
- *Don't be silent:* Tell every woman you know that heart disease is their No. 1 killer. Raise your voice at [GoRedForWomen.org](http://GoRedForWomen.org).

**NOW, THEREFORE**, I Colleen Mahr, Mayor of the Borough of Fanwood, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 7, 2014 to be

**NATIONAL WEAR RED DAY**

in the Borough of Fanwood and urge all citizens to show their support for women and the fight against heart disease by commemorating this day by the wearing of the color red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

**CORRESPONDENCE**

**None**

**COUNCIL REPORTS**

A. Administration and Finance (Councilman Levine)

Levine/Mitchell moved to accept the Tax Collector's report for December 2013. Motion carried.

Levine /Mitchell moved to adopt the Payment of Claims. Motion carried on the following roll call vote.

BE IT RESOLVED that claims in the amount of \$2,274,641.92 having been listed on the Bill List and recorded in the files of the Borough Hall, and approved by the Chairman of the appropriate Committee, be paid.

FOR: Levine, Mitchell, Huegel, Krantz, Molenaar

AGAINST: None

Absent: Boris

Abstention: None

B. Public Safety (Councilwoman Mitchell)

Councilwoman Mitchell reported for the Police Department and the Library.

C. Public Works (Councilman Huegel)

Engineer Bondar reported engineering services for the months of December and January.

Councilman Huegel reported for Public Works and the Rescue Squad.

Councilman Boris arrived at 7:25 pm.

D. Land Use and Historic Preservation (Councilman Molenaar)

Councilman Molenaar reported for the Planning Board and the Consolidation Committee.

E. Recreation and Community Services (Councilman Boris)

Councilman Boris reported for the Recreation Commission and the Fire Department.

F. Health and Senior Citizens (Councilman Kranz)

Councilman Kranz reported on free dental services for those who do not have dental insurance to be held at the VoTech, in Scotch Plains, on February 7, 2014. He also reported on the contents of the Senior Page on the [www.Fanwoodnj.org](http://www.Fanwoodnj.org) web site.

**MEETING OPEN TO THE PUBLIC**

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

Mike Lewis questioned the bidding for recycling services. Councilman Levine addressed his question. Mitchell/Huegel moved to close the meeting to the public. Motion carried.

**OLD BUSINESS**

None

**NEW BUSINESS**

A. Administration and Finance (Councilman Levine)

**Resolution 14-01-27**

Levine/Boris moved to adopt Resolution 14-01-27.

Levine/Huegel moved to amend Resolution 14-01-27. Motion carried.

Levine/Boris moved to adopt the amended Resolution 14-01-27. Motion carried.

**Ordinance 14-01-R**

Levine/Boris moved to adopt Ordinance 14-01-R on first reading. Motion carried.

**AN ORDINANCE AMENDING SECTION 184-43B(1)  
OF THE FANWOOD BOROUGH CODE RELATING  
TO RESIDENTIAL DEVELOPMENT FEES**

Second Reading and Public Hearing is scheduled for February 18, 2014.

**Resolution 14-01-28**

Levine/Mitchell moved to adopt Resolution 14-01-28. Motion carried on the following roll call vote.

**WHEREAS**, overpayments and/or duplicate payments exist on the following line items:

<b>Owner</b>	<b>Address</b>	<b>Amount</b>	<b>Blk/Lot</b>
Bellaro, T & C	16 Shady Lane	\$ 59.18	116/8
Lieblich, Susan	35 South Glenwood Road	\$2,702.81	71/28

**NOW, THEREFORE, BE IT RESOLVED** the Tax Collector is hereby authorized to refund this overpayment to the respective homeowners or mortgage company per requests on file.

For: Levine, Mitchell, Boris, Huegel, Krantz, Molenaar  
 Against: None  
 Absent: None  
 Abstention: None

**Resolution 14-01-29**

Levine/Mitchell moved to adopt Resolution 14-01-29. Motion carried on the following roll call vote.

Governor’s Council on Alcoholism and Drug Abuse  
 Fiscal Grant Cycle July 2014-June 2019  
**FORM 1B**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Fanwood Council of the Borough of Fanwood, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Fanwood Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Fanwood Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Fanwood, County of Union, State of New Jersey hereby recognizes the following:

1. The Fanwood Council does hereby authorize submission of a strategic plan for the Scotch Plains - Fanwood Municipal Alliance grant for fiscal year in the amount of:
 

DEDR	<u>\$ 32,836</u>
Cash Match	<u>\$ 8,209</u>
In-Kind	<u>\$ 69,555</u>
  
2. The Fanwood Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

For: Levine, Mitchell, Boris, Huegel, Krantz, Molenaar  
 Against: None  
 Absent: None  
 Abstention: None

**Resolution 14-01-23**

Levine/Boris moved to adopt Resolution 14-01-23. Motion carried on the following roll call vote.

**WHEREAS**, the Mayor and Council have a need to acquire services of a Redevelopment Agency Planner (“Services”), by means of a fair and open contract procedure pursuant to the provisions of N.J..S.A. 19:44A-20.5, and

**WHEREAS**, the Borough Clerk has determined that the value of the Services may exceed \$17,500, and

**WHEREAS**, T &M Associates submitted a response to the RFQ issued by the Mayor and Council for these Services and was determined to be the only Qualified Respondent for the Services, and

**WHEREAS**, T & M Associates responded to the Borough’s RFP, and

**WHEREAS**, T & M Associates has previously served as a planner for the Borough of Fanwood and the Mayor and Council have determined to retain said firm.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fanwood that, T & M Associates, Eleven Tindall Road, Middletown, NJ 07748, hereby is appointed as Redevelopment Agency Planner for the Borough of Fanwood for the year 2013, and

**BE IT FURTHER RESOLVED** that a copy of the attached notice be printed once in The Times of Scotch Plains within 10 days of this date; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk be, and hereby are, authorized to enter into a contract with T & M Associates in accordance with the terms of this Resolution and the attached Notice approved by the Borough Attorney.

**NOTICE OF AWARD  
OF CONTRACT FOR PROFESSIONAL SERVICES**

**BY THE BOROUGH OF FANWOOD  
RESOLUTION 14-01-23**

**CONTRACTOR:** T & M Associates  
Eleven Tindall Road  
Middletown, NJ 07748

**NATURE OF SERVICE:** Planning Services as  
Redevelopment Agency Planner

**DURATION:** For a period ending no later  
than December 31, 2014

**FEE:** Not to exceed \$5,000.00

A copy of this Resolution and Contract relating to the services are on file and available for public inspection in the office of the Borough Clerk.

For: Levine, Boris, Mitchell, Huegel, Krantz, Molenaar  
 Against: None  
 Absent: None  
 Abstention: None

**Resolution 14-01-24**

Huegel/Boris moved to adopt Resolution 14-01-24. Motion carried on the following roll call vote.

**WHEREAS**, the Mayor and Council have a need to acquire special engineering services (“Services”), by means of a fair and open contract procedure pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

**WHEREAS**, the Borough Clerk has determined that the value of the Services may exceed \$17,500, and

**WHEREAS**, T & M Associates submitted a response to the RFQ issued by the Mayor and Council for the Services relating to Engineering Services and was determined to be a Qualified Respondent for the Services, and

**WHEREAS**, the Mayor and Council have determined to retain said firm.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fanwood that T & M Associates, be, and hereby is, appointed to provide professional engineering services specifically the design and bidding documents for the reconstruction of Vinton Circle.

**BE IT FURTHER RESOLVED** that a copy of the attached notice be printed once in The Times of Scotch Plains within 10 days from this date.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk be, and hereby are, authorized to enter into a contract in accordance with the terms of this Resolution and the attached Notice.

**NOTICE OF AWARD OF CONTRACT  
FOR PROFESSIONAL SERVICES BY THE BOROUGH OF FANWOOD  
RESOLUTION 14-01-24**

**CONTRACTOR:** T & M Associates  
Eleven Tindall Road  
Middletown, NJ 07748

**NATURE OF SERVICE:** Engineering Services  
For the design and bidding phases relevant to the reconstruction of Vinton Circle.

**DURATION:** Period ending December 31, 2014

**AMOUNT:** Not to exceed \$59,100.

A copy of this resolution and contract relating to the services are on file and available for public inspection in the Municipal Clerk’s office.

For: Huegel, Boris, Kranz, Levine, Mitchell, Molenaar  
 Against: None  
 Absent: None  
 Abstention: None

**Resolution 14-01-25**

Huegel/Mitchell moved to adopt Resolution 14-01-25. Motion carried on the following roll call vote.

**WHEREAS**, the Mayor and Council have a need to acquire environmental engineering services (“Services”), by means of a fair and open contract procedure pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

**WHEREAS**, the Borough Clerk has determined that the value of the Services may exceed \$17,500, and

**WHEREAS**, **CTM Environmental, 200 Pennsville-Auburn Road, Pedricktown, NJ 08067** submitted a proposal to provide **screening, sampling, and disposal of the excess (nonstructural, historic fill) material located on the rear portion of Block 64, Lot 6.02.**

**WHEREAS**, CTM has provided environmental engineering services to the Borough regarding the properties referred to above and adjoining properties and are knowledgeable of the conditions on the property, and

**WHEREAS**, the CTM proposal, dated December 17, 2013 attached, totals the sum of **\$29,967**, and

**WHEREAS**, the Mayor and Council have determined to retain said firm.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fanwood that CTM Environmental be, and hereby is, appointed to perform environmental engineering services on behalf of the Borough of Fanwood as outlined above.

**BE IT FURTHER RESOLVED** that a copy of the attached notice be printed once in The Times of Scotch Plains within 10 days from this date.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk be, and hereby are, authorized to enter into a contract in accordance with the terms of this Resolution and the attached Notice.

**BOROUGH OF FANWOOD  
NOTICE OF AWARD OF CONTRACT  
FOR PROFESSIONAL SERVICES BY THE BOROUGH OF FANWOOD  
RESOLUTION 14-01-25**

**CONTRACTOR:** CTM Environmental  
200 Pennsville-Auburn Road  
Pedricktown, NJ 08067

**NATURE OF SERVICE:** Engineering Services  
To provide **screening, sampling, and disposal of the excess (nonstructural, historic fill) material located on the rear portion of Block 64, Lot 6.02.**

**DURATION:** Period ending December 31, 2014

**AMOUNT:** Not to exceed \$29,967.

A copy of this resolution and contract relating to the services are on file and available for public inspection in the Municipal Clerk’s office.

For: Huegel, Mitchell, Boris, Kranz, Levine, Molenaar  
Against: None  
Absent: None  
Abstention: None

**Resolution 14-01-26**

Huegel/Boris moved to adopt Resolution 14-01-26. Motion carried on the following roll call vote.

**WHEREAS**, Reivax Contracting Corp. was awarded the contract for the Farley Avenue Project through Resolution 13-05-90 for a total amount of \$614,380.74, and

**WHEREAS**, there was a mathematical error in the bid documents and the awarded amount should have been \$615,380.74.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby voids Resolution 13-05-90 and re-awards the contract to Reivax Contracting Corp. in the amount of \$615,380.74.

For: Huegel, Boris, Mitchell, Kranz, Levine, Molenaar  
Against: None

Absent: None  
Abstention: None

**MEETING OPEN TO THE PUBLIC**

Huegel/Mitchell moved to open the meeting to the public. Motion carried.  
Mike Lewis, resident asked about the Police Merger status. Mayor Mahr addressed his question.  
Mitchell/Boris moved to close the meeting to the public. Motion carried.

**COUNCIL COMMENTS**

Councilman Molenaar stated that for a Police Merger to be successful you need a willing partner.  
Councilman Kranz thanked all for their support in electing him Councilman.  
Councilwoman Mitchell welcomed Councilman Kranz.  
Council President Huegel announced that the “Challenger” celebrates its 20<sup>th</sup> Anniversary this year.  
Councilman Boris wished everyone a Happy New Year.  
Councilman Levine welcomed Councilman Kranz and wished all a Happy New Year.

**EXECUTIVE SESSION**

Mitchell/Huegel moved the meeting into Executive Session to discuss litigation matters. Motion carried.  
Mitchell/Boris moved to return to the normal order of business. Motion carried.

Mitchell/Kranz moved to adjourn at 8:40 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern  
Borough Clerk