

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL REGULAR MEETING
MARCH 18, 2014**

The Regular Meeting of the Mayor and Council was held on March 18, 2014 at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:15 PM.

A Girl Scout 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 Girl Scout Troup 40279.

Eleanor McGovern, Borough Administrator, gave the invocation

Present: Kevin Boris, Russell Huegel, Tom Kranz, Daniel Levine, Jack Molenaar
Absent: Mitchell
Also Present: Mayor Colleen Mahr, Eleanor McGovern, Dennis Estis

MINUTES

Boris/Huegel moved to adopt the following minutes as presented. Motion carried.

Agenda Meetings	February 4 and March 4, 2014
Regular Meeting	February 18, 2014
Special Meetings	February 4, 6, March 4, 2014

APPOINTMENTS/RESOLUTIONS/PROCLAMATIONS/PRESENTATIONS

Presentations:

Michael Bange and Brian Devlin gave a presentation to the Council on the improvements NJ American Water is implementing in the Borough.

Levine/Kranz moved to open the meeting to the public for questions/comments from the public. Motion carried.

Frank Champion, 157 Herbert Avenue commented that his road was just repaved what will be the appearance of this work? He also was concerned about the stress on the existing pipes inside the home that would not be replaced.

Andy Davis, 71 Kempshall Terrace wanted to know how this project would affect house values? Will the work be done at night?

John Perrotta, 169 Second Street wanted to know how the Water Company would recoup the cost of these improvements?

David Greenberg, 110 Cray Terrace, wanted to know how the residents would be notified of the work. He also wanted to know the size of the new meters.

Paul Bernhard, 92 Kempshall Terrace stated that his road is in disrepair now. How will the water company leave the road after job is done? He also wanted to know how the sprinkler systems would be treated.

Sally Davis, 72 Kempshall Terrace, wanted to know when the residents would be notified. How long would the water be off?

Joe McGeary, 335 LaGrande Avenue, how will the replacement of pipe from the curb to the house be determined?

Michael Gange addressed all these resident questions.

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

Boris/Huegel moved to recess the meeting. Motion carried.

Boris/Huegel moved to resume the meeting. Motion carried.

Mayor Mahr presented John Piccola with the Devlin Print for his volunteer service to the residents as a fireman and Fire Chief. Approximately ten firemen were present in support of this honor.

Appointments:

Mayor Mahr appointed Michael Lewis as Alternate #1, expiring 12/31/2015.

Boris/Huegel moved to confirm this appointment. Motion carried.

Mayor Mahr appointed the Earth Day Anniversary Committee consisting of:

John Celardo, Chair
Karen Diaz
Joan Skubish
Pat Hoynes

Proclamations:

Mayor Mahr presented the following proclamation to the Girl Scouts:

GIRL SCOUT WEEK
March 9 – 15, 2014

WHEREAS, March 9 – 15, 2014 marks Girl Scout Week as designated by Girl Scouts of the USA founded in 1912 by Juliette Gordon Low in Savannah, Georgia, and

WHEREAS, the mission of the Girl Scouts of the USA is “to build girls of courage, confidence and character, who make the world a better place” through honesty, fairness, compassion, sisterhood and citizenship, and

WHEREAS, throughout its long and distinguished history Girl Scouting, by helping girls to build strong character and skills for success in the real world, has inspired more than 50 million girls and women to strive for the highest ideals of courage and confidence, and

WHEREAS, through Girl Scouts, girls grow strong, gain self-confidence, develop leadership skills and learn the lifelong lesson of contributing back to their communities, and

WHEREAS, Girl Scouting helps girls achieve their potential by increasing awareness of opportunities existent in the fields of math, science, sports, technology and other professional pursuits, and

WHEREAS, the Girl Scouts of Washington Rock Council was formed in 1957 and has capably delivered the optimal Girl Scout experience to over 750,000 young women and adults in Union, Middlesex and Somerset counties, and

WHEREAS, more than 3.8 million Girl Scouts nationwide, including in excess of 100,000 in the State of New Jersey, join in celebrating and rejoicing in this great American tradition.

NOW, THEREFORE, I, Colleen Mahr, Mayor of the Borough of Fanwood do hereby proclaim March 9-15, 2014 as

GIRL SCOUT WEEK

in the Borough of Fanwood.

The following proclamation on Fanwood's Clean Community Day was read:

**CLEAN COMMUNITY DAY
APRIL 26, 2014**

WHEREAS, the Borough of Fanwood recognizes the necessity for a clean community by participating in a program sponsored by the New Jersey State Department of Environmental Protection to help educate citizens in controlling litter in the Borough, with this year's theme: Green Cities, and

WHEREAS, the Borough participates in an "**Earth Day**" program through the Borough's annual **Clean Community Day**, on Saturday, April 26, 2014, appropriately held in Spring a time of new life and beauty, and

WHEREAS, this year we will be celebrating Fanwood's 25th anniversary of participating in Earth Day/Clean Community Day with concerned residents of Fanwood and neighboring communities, reflecting our commitment and resolve by creating a safer, cleaner and more livable community, and

WHEREAS, the Fanwood Clean Community Committee organizes and implements a clean community program to pick up litter in the Borough and to encourage positive behaviors toward community improvement, and

WHEREAS, concerned citizens, in cooperation with the Public Works Department and the Clean Community Committee, enthusiastically pick up, shovel and haul litter left by environmentally unconcerned citizens to build a clean and healthy environment for generations to come, and

WHEREAS, the Governing Body recognizes the efforts of these dedicated citizens who formed an alliance to become stewards of the environment and whose efforts reduce waste, increase recycling, educate our leaders of tomorrow, and beautify Fanwood.

NOW, THEREFORE, I, Colleen Mahr, Mayor of the Borough of Fanwood, do hereby proclaim April 26, 2014 "**CLEAN COMMUNITY DAY**" in the Borough of Fanwood and publicly thank the volunteers, especially those that return year after year, who fight the deterioration of the environment; the donors who support this worthwhile event; and ask the citizens of this community to join the Governing Body in acknowledging the contributions of these committed citizens working for the benefit of others. Nothing is more powerful than the collective actions of a Community.

The proclamation was presented to John Celardo, Chair of the Anniversary Earth Day Committee.

CORRESPONDENCE

Molenaar/Boris moved to accept the correspondence as submitted. Motion carried.

1. Fanny Wood Day Committee
Re: Electronic Sign donation
Disposition: Note and File
2. Borough of Garwood
Re: Declaration of Need to FEMA for assistance
Disposition: Note and File
3. Fanwood Business and Professional Association
Re: Street closing for Street Fair, June 8, 2014
Disposition: Permission Granted

COUNCIL REPORTS

A. Administration and Finance (Councilman Levine)

Levine/Boris moved the Tax Collector Report for the month of February. Motion carried.

Levine Boris moved to adopt the Payment of Claims for March. Motion carried on the following roll call vote.

BE IT RESOLVED that claims in the amount of 3,189,888.98 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, Boris, Huegel, Kranz, Molenaar
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

B. Public Safety (Councilwoman Mitchell)

Councilman Huegel reported for the Police Department

C. Public Works (Councilman Huegel)

Councilman Huegel gave a pot hole report, reported for the Public Works Department and the Hunter Avenue resident meeting.

D. Land Use and Historic Preservation (Councilman Molenaar)

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

E. Recreation and Community Services (Councilman Boris)

Councilman Boris congratulated Fire Chief Piccola and commended the entire Fire Department. He also reported for the Historic Preservation Commission and Recreation.

F. Health and Senior Citizens (Councilman Kranz)

Councilman Kranz reported for the Board of Health, Senior Citizens and the Rescue Squad.

Mayor Mahr reported on the lane closure on the Pulaski Skyway.

MEETING OPEN TO THE PUBLIC

Kranz/Huegel moved to open the meeting to the public. Motion carried.
No one spoke.

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

OLD BUSINESS

None

NEW BUSINESS

A. Administration and Finance (Councilman Levine)

Resolution 14-03-45.

Levine/Huegel moved to adopt Resolution 14-03-45. Motion carried.

**Resolution Calling on the Legislature to Make Permanent the 2% Cap
On Interest Arbitration Awards**

WHEREAS, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

WHEREAS, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

WHEREAS, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

WHEREAS, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

WHEREAS, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

WHEREAS, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

WHEREAS, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

WHEREAS, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

WHEREAS, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fanwood strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

BE IT FURTHER RESOLVED, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, Fanwood's Legislative

Delegation, State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities.

Ordinance 14-03-R

Levine/Huegel moved to introduce Ordinance 14-03-R on first reading. Motion carried.

AN ORDINANCE AMENDING SECTION 252-1 AND SECTION 252-2 OF THE FANWOOD BOROUGH CODE RELATING TO SOLID WASTE COLLECTION DISTRICT NO. 1

Second Reading/Public Hearing will be held on April 16, 2014.

Resolution 14-03-46

Levine/Huegel moved to adopt Resolution 14-03-46. Motion carried on the following roll call vote.

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

Owner	Address	Amount	Blk/Lot
More, D & B	16 Crest Lane	\$339.44	106/15

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, Huegel, Boris, Kranz, Molenaar
- AGAINST: None
- ABSENT: Mitchell
- ABSTAINED: None

Resolution 14-03-47

Levine/Huegel moved to adopt Resolution 14-03-47. Motion carried on the following roll call vote.

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF FANWOOD AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL YEAR 2014 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM FOR THE PURPOSE OF FINANCING VARIOUS DRAINAGE IMPROVEMENTS

March 18, 2014

WHEREAS, the Borough of Fanwood (the “Local Unit”) in the County of Union, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the

Project (the “Project”), as defined in each of that certain Loan Agreement (the “Trust Loan Agreement”) to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the “Trust”) and that certain Loan Agreement (the “Fund Loan Agreement” and together with the Trust Loan Agreement, the “Loan Agreements”) to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), all pursuant to the 2014 New Jersey Environmental Infrastructure Trust Financing Program (the “Program”);

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the “Trust Loan”) and the State (the “Fund Loan”, and together with the Trust Loan, the “Loans”) pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit’s General Obligation Bonds, Series 2014A to the Trust in an aggregate principal amount not to exceed \$570,000 (unless a higher amount is required by the Trust but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) (the “Trust Loan Bond”) and the Local Unit’s General Obligations Bonds, Series 2014B to the State in the aggregate principal amount not to exceed \$1,617,000 (unless a higher amount is required by the State but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) (the “Fund Loan Bond”, and together with the Trust Loan Bond, the “Local Unit Bonds”) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the “Escrow Agreement”) to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the “Financing Documents”) are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibit A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an “Authorized Officer”), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the “Local Unit Consultants”) and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively the “Program Consultants”, and together with the Local Unit Consultants, the “Consultants”), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in

connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deemed necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to John D. Draikiwicz, Esq., Gibbons P.C., Bond Counsel to the Local Unit and Richard Nolan, Esq., McCarter & English, LLP, Bond Counsel to the Trust.

FOR: Levine, Huegel, Boris, Kranz, Molenaar
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

Resolution 14-03-48

Levine/Boris moved to adopt Resolution 14-03-48. Motion carried on the following roll call vote.

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,187,000 GENERAL OBLIGATION BONDS, SERIES 2014 OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2014 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM FOR THE PURPOSE OF FINANCING VARIOUS DRAINAGE IMPROVEMENTS

March 18, 2014

WHEREAS, the Borough of Fanwood (the “Local Unit”) in the County of Union, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the “Project”), as defined in each of that certain Loan Agreement (the “Trust Loan Agreement”) to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the “Trust”) and that certain Loan Agreement (the “Fund Loan Agreement” and together with the Trust Loan Agreement, the “Loan Agreements”) to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), all pursuant to the State Fiscal Year 2014 New Jersey Environmental Infrastructure Trust Financing Program (the “Program”);

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the “Trust Loan”) and the State (the “Fund Loan” and together with the Trust Loan, the “Loans”) pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to

authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2014A to the Trust in an aggregate principal amount not to exceed \$570,000 (unless a higher amount is required by the Trust but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) (the "Trust Loan Bond") and General Obligation Bonds, Series 2014B to the State in the aggregate principal amount not to exceed \$1,617,000 (unless a higher amount is required by the State but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) (the "Fund Loan Bond" and together with the Trust Loan Bond, the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust, without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$570,000 (unless a higher amount is required by the Trust but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$1,617,000 (unless a higher amount is required by the State but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) to the State in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in bond ordinance #12-07-S of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE PROVIDING APPROPRIATION OF \$2,561,000 FOR THE DRAINAGE IMPROVEMENTS AT GLENWOOD ROAD AND TILLOTSON ROAD BY AND FOR THE BOROUGH OF FANWOOD IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,542,300 IN BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION" and was finally adopted by the Local Unit at a meeting thereof duly called and held on June 19, 2012, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed forty (40) years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and

- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered T-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered F-1;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Gibbons P.C., is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to John Draikiwicz, Esq., Gibbons P.C., bond counsel to the Local Unit, and Richard Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

FOR: Levine, Boris, Huegel, Kranz, Molenaar
AGAINST: None
ABSENT: Mitchell

ABSTAINED: None

Resolution 14-03-49

Levine/Huegel moved to adopt Resolution 14-03-49. Motion carried on the following roll call vote.

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,187,000 GENERAL OBLIGATION BONDS, SERIES 2014 OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2014 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM FOR THE PURPOSE OF FINANCING VARIOUS DRAINAGE IMPROVEMENTS

March 18, 2014

WHEREAS, the Borough of Fanwood (the “Local Unit”) in the County of Union, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the “Project”), as defined in each of that certain Loan Agreement (the “Trust Loan Agreement”) to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the “Trust”) and that certain Loan Agreement (the “Fund Loan Agreement” and together with the Trust Loan Agreement, the “Loan Agreements”) to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), all pursuant to the State Fiscal Year 2014 New Jersey Environmental Infrastructure Trust Financing Program (the “Program”);

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the “Trust Loan”) and the State (the “Fund Loan” and together with the Trust Loan, the “Loans”) pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit’s General Obligation Bonds, Series 2014A to the Trust in an aggregate principal amount not to exceed \$570,000 (unless a higher amount is required by the Trust but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) (the “Trust Loan Bond”) and General Obligation Bonds, Series 2014B to the State in the aggregate principal amount not to exceed \$1,617,000 (unless a higher amount is required by the State but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) (the “Fund Loan Bond” and together with the Trust Loan Bond, the “Local Unit Bonds”) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust, without any public

offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$570,000 (unless a higher amount is required by the Trust but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$1,617,000 (unless a higher amount is required by the State but in no event shall the General Obligation Bonds, Series 2014 in the aggregate exceed \$2,187,000) to the State in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in bond ordinance #12-07-S of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE PROVIDING APPROPRIATION OF \$2,561,000 FOR THE DRAINAGE IMPROVEMENTS AT GLENWOOD ROAD AND TILLOTSON ROAD BY AND FOR THE BOROUGH OF FANWOOD IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,542,300 IN BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION" and was finally adopted by the Local Unit at a meeting thereof duly called and held on June 19, 2012, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed forty (40) years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered T-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered F-1;

- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Gibbons P.C., is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to John Draikiwicz, Esq., Gibbons P.C., bond counsel to the Local Unit, and Richard Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

FOR: Levine, Huegel, Boris, Kranz, Molenaar
 AGAINST: None
 ABSENT: Mitchell
 ABSTAINED: None

Resolution 14-03-58

Levine/Huegel moved to adopt Resolution 14-03-58. Motion carried on the following roll call vote.

WHEREAS, the original contract for financial advisory services was awarded to NW Financial Group, LLC through Resolution 13-01-18 in the amount of \$15,000.00, followed by change order Nos. 13-06-101 in the amount of \$10,000.00, and 13-11-170 in the amount of \$10,000.00, and

WHEREAS, financial services relevant to the Police Merger caused a change in the scope of services thereby a monetary increase in charges for the additional services.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby approves Change Order No. 3 to the NW Financial Contract in the amount of \$2,381.25 to cover the remaining charges in year 2013.

FOR: Levine, Huegel, Boris, Kranz, Molenaar
 AGAINST: None
 ABSENT: Mitchell
 ABSTAINED: None

Resolution 14-03-60

Levine/Huegel moved to adopt Resolution 14-03-60. Motion carried on the following roll call vote.

WHEREAS, various 2013 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2013 Budget Appropriation Reserve in the last two months of 2013; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpected balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Fanwood that the transfers in the amount of \$3,381.25 be made between the 2013 Budget Appropriation Reserve as follows:

FROM:		TO:	
Emergency Management	\$1,000.00	Tax Collection O&E	\$1,000.00
Bd. Of Health S&W	\$ 500.00	Legal O&E	\$2,381.25
Historic Preservation	\$1,000.00		
NJ Transit	\$ 381.25		
Playground S&W	\$ 500.00		

FOR: Levine, Huegel, Boris, Kranz, Molenaar
 AGAINST: None
 ABSENT: Mitchell
 ABSTAINED: None

Resolution 14-03-61

Levine/Huegel moved to adopt Resolution 14-03-61. Motion carried on the following roll call vote.

WHEREAS, an emergent condition has arisen in that the Borough of Fanwood is expected to enter into contracts, commitments or payments prior to the CY 2014 Budget and no adequate provision has been made in the CY 2014 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A.: 40-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year CY 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$728,122.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Fanwood, in the County of Union, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

Emergency temporary appropriation is and the same are hereby made in the amount of

\$728,122.00 as follows:

Operations:

Administration O&E	\$3,000.00	Finance	\$4,000.00
Tax Assessor	\$4,000.00	Tax Collection	\$3,000.00
Mayor	\$500.00	Downtown O&E	\$4,500.00
Postage	\$1,500.00	Utilities	\$20,000.00
Street Lighting	\$10,000.00	Library	\$25,000.00
Engineer	\$5,000.00	Social Security	\$20,000.00
PFRS	\$374,064.00	PERS	\$190,458.00
Playground	\$2,000.00	Construction	\$2,000.00
Prior Year Bills	\$5,300.00	LASAP	\$12,300.00

Salary & Wage:

Administration	\$15,000.00	Finance S&W	\$8,500.00
Tax Assessor S&W	\$2,500.00	Zoning S&W	\$2,500.00
Construction S&W	\$1,000.00	Crossing Guards S&W	\$2,000.00
Fire Enforcement S&W	\$1,000.00	Bd. Of Health	\$1,500.00
Environmental S&W	\$500.00	Playground S&W	\$5,000.00
Senior Coordinator S&W	\$1,000.00	TV 35 S&W	\$1,000.00

FOR: Levine, Huegel, Boris, Kranz, Molenaar
 AGAINST: None
 ABSENT: Mitchell
 ABSTAINED: None

B. Public Safety (Councilwoman Mitchell)

Resolution 14-03-50

Huegel/Molenaar moved to adopt Resolution 14-03-50. Motion carried on the following roll call vote.

WHEREAS, Thomas Chisholm has completed the necessary requirements for an in-grade promotion to Patrolman E, and

WHEREAS, the Chief of Police certifies that the prerequisites for in-grade promotion have been accomplished and has recommended that Thomas Chisholm be promoted to Patrolman E, on April 1, 2014.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council do hereby authorize Thomas Chisholm’s promotion to Patrolman E on April 1, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Borough Treasurer to make the necessary salary adjustment.

FOR: Huegel, Molenaar, Boris, Kranz, Levine
 AGAINST: None
 ABSENT: Mitchell
 ABSTAINED: None

Resolution 14-03-51

Huegel/Molenaar moved to adopt Resolution 14-03-51. Motion carried on the following roll call vote.

WHEREAS, Ryan Gilmore has completed the necessary requirements for an in-grade promotion to Patrolman E, and

WHEREAS, the Chief of Police certifies that the prerequisites for in-grade promotion have been accomplished and has recommended that Ryan Gilmore be promoted to Patrolman E, on April 15, 2014.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council do hereby authorize Ryan Gilmore’s promotion to Patrolman E on April 15, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Borough Treasurer to make the necessary salary adjustment.

FOR: Huegel, Molenaar, Boris, Kranz, Levine
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

Resolution 14-03-52

Huegel/Molenaar moved to adopt Resolution 14-03-52. Motion carried on the following roll call vote.

WHEREAS, the Length of Service Awards Program (LOSAP) for the Fanwood Fire Department and Fanwood Rescue Squad was approved by the Mayor and Council through the passage of Ordinance 99-18-R on August 12, 1999 and approved by Fanwood voters as a public question at the General Election on November 2, 1999, and Ordinance 07-20-R, and

WHEREAS, the Fanwood Rescue Squad and Fanwood Fire Department have certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 99-18-R, based on member performance in year 2013, to receive the Borough’s 2013 annual contribution of \$600.00/each as follows:

**FANWOOD RESCUE SQUAD
13 MEMBERS**

Buckridee, Karolyn	Downing, Jeff	Mustachio, Nancy
Buckridee, Patricia	Kaiser, Joseph	Siegel, Steven
Buckridee, Elizabeth	Kranz, Tom	Villegas, Steven
Carr, Jeffrey	Lewis, Ian	
Downing, Brian	Lozowski, Joan	

**FANWOOD FIRE DEPARTMENT
15 MEMBERS**

Dietl, Frank	Manette, Sean	Szanto, Steve
Drewes, James	Padulsky, Bruce	Weissglass, Zach
Grasso, Anthony Jr.	Piccola, Brian	Zawodniak, Dave
Gorman, Ken	Piccola, Daniel	
Hamill, Matt	Piccola, John	
Hamill, Raphael I	Piccola, Kristopher	

WHEREAS, the total number of qualifying volunteers for 2013, for the Rescue Squad and Fire Department is 28, for a total contribution of \$16,800.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council do hereby accept the certified list from the Rescue Squad dated January 29, 2014, and from the Fire Department dated March 7, 2014.

FOR: Huegel, Molenaar, Boris, Levine
AGAINST: None
ABSENT: Mitchell
ABSTAINED: Kranz

Resolution 14-03-62

Huegel/Molenaar moved to adopt Resolution 14-03-62. Motion carried on the following roll call vote.

WHEREAS, the Fanwood Fire Department has received the following membership application:

Christopher D'Amico
9 Oak Court
Fanwood, NJ 07023

and

WHEREAS, the applicant has met the requirements for membership and has been recommended by the Fanwood Fire Department for membership.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council hereby approve Christopher D'Amico as a member of the Fanwood Fire Department.

FOR: Huegel, Molenaar, Boris, Kranz, Levine
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

C. Public Works (Councilman Huegel)

Resolution 14-03-53

Huegel/Kranz moved to adopt Resolution 14-03-53. 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, 1373 Broad Street, Clifton, NJ 07013 be, and hereby is, appointed to provide Engineering Services related to the reconstruction of Stagaard Place, Second Street, South Glenwood Road/ Shasta Place.

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.

FOR: Huegel, Kranz, Boris, Levine, Molenaar,
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

Resolution 14-03-54

Huegel/Kranz moved to adopt Resolution 14-03-54. 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, 1373 Broad Street, Clifton, NJ 07013 be, and hereby is, appointed to provide Engineering Services related to 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 14-03-54**

CONTRACTOR: T & M Associates
1373 Broad Street
Clifton, NJ 07013
NATURE OF SERVICE: To provide Engineering services related to
Reconstruction of Vinton Circle
DURATION: Period ending February 28, 2015
AMOUNT: Not to exceed \$59,100.00

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, Kranz, Boris, Levine, Molenaar,
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

Resolution 14-03-55

Huegel/Molenaar moved to adopt Resolution 14-03-55. Motion carried on the following roll call vote.

WHEREAS, Police protection for municipal road projects is usually arranged and paid for by the contractor engaged by the Borough of Fanwood, and is scheduled directly by the contractor through the Fanwood Police Department as typically outlined in the bidding specifications for each such project, and

WHEREAS, the amount for police protection which is included in the bidders' bid is usually an estimate and when it exceeds the estimate will usually require a change order to be authorized by the Borough Council, causing a delay in payment to the police officers assigned to the project, and

WHEREAS, the Chief Financial Officer has requested that bids sought subsequent to the adoption of this resolution for such police protection not include the requirement of providing police protection as a bid item, but rather police protection be handled by the Borough's finance office and the Police Department directly and solely, with input from the successful bidder/contractor, and with payment being made directly from the Bond Ordinance by which the road project was being funded; and

WHEREAS, the Borough previously entered into a contract with Stilo Contracting to perform reconstruction work to Hunter Avenue I and Russell Road for police protection; and

WHEREAS, the Borough wishes to enter into a change order with Stilo Contracting in the event that police protection for the Hunter Avenue I and Russell Road project exceeds \$20,500, so that the requirements of this resolution will apply to that project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood that police protection be eliminated from future bid specifications; and

BE IT FURTHER RESOLVED by that the Mayor and Clerk are authorized to execute a Change Order by which the terms of this resolution shall apply to the Hunter Avenue I and Russell Road project in the event that the \$20,500 already paid for police protection is exceeded.

FOR: Huegel, Molenaar, Boris, Kranz, Levine
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

Resolution 14-03-59

Huegel/Kranz moved to adopt Resolution 14-03-59. Motion carried on the following roll call vote.

WHEREAS, the Borough Council of the Borough of Fanwood hereby acknowledges the requirement of preliminary costs to determine the scope and cost of a proposed undertaking. The purpose of these preliminary costs are for engineering and related studies to establish the feasibility of possible reconstruction of roads and that the amount to be charged is for the purpose for which bonds may be issued under Chapter 2 of Title 40A.

NOW, THEREFORE, BE IT RESOLVED that the amount appropriated for preliminary costs by KeyTech Laboratories, 210 Maple Place, Keyport, NJ 07735, for obtaining core samples on LaGrande Avenue and Mary Lane and shall not exceed \$950.00; and the Chief Financial Officer is authorized to set up a “Reserve for Preliminary Expenses” out of the Capital Improvement Fund of the General Capital Fund.

FOR: Huegel, Kranz, Boris, Levine Molenaar
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

Resolution 14-03-63

Huegel/Molenaar moved to adopt Resolution 14-03-63. Motion carried on the following roll call vote.

WHEREAS, the Borough of Fanwood (“Borough”) is committed to creating streets that accommodate all road users of all ages and abilities for all trips; and

WHEREAS, a Complete Street is defined as a means of providing safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options; and

WHEREAS, the benefits of Complete Streets include i) improving safety for pedestrians, bicyclists, children, older citizens, families, non-drivers, the mobility-challenged and other non-vehicular users of the roadway, as well as those who cannot afford a motor vehicle or choose to live motor vehicle-free; ii) providing connections to bicycling and walking trip generators such as employment, residential, recreation, transit, retail centers, public and civic facilities; iii) promoting healthy lifestyles; iv) creating more livable and walkable communities; v) reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions; and vi) saving money by incorporating sidewalks, on-streets bicycle facilities, safe and convenient crossings and transit amenities into the initial design of a project, thus sparing the expense of retrofits later; and

WHEREAS, the Mayor and Council fully support these initiatives and wish to reinforce their commitment to creating a comprehensive, integrated, connected street network that accommodates all non-motor vehicle users of all abilities and for all trips through the implementation of a Complete Streets policy; and

WHEREAS, a Complete Streets policy will be implemented through the planning, design, construction, maintenance, and operation of new and retrofit transportation facilities.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood, by the adoption of a Complete Streets Policy as defined in this resolution;

BE IT FURTHER RESOLVED that the Planning Board and the Borough Engineer should make Complete Streets practices and principles a standard part of everyday operations, should approach

every transportation project and program as an opportunity to improve public streets and the transportation network in the Borough for all users, and should work in coordination with other departments, agencies, and jurisdictions to achieve robust Complete Streets;

BE IT FURTHER RESOLVED that all public street projects, both new construction and reconstruction in the Borough shall be designed and constructed as Complete Streets; and

BE IT FURTHER RESOLVED that the Complete Streets policy as set forth above shall be implemented as follows:

1. All Borough streets shall be designed and constructed to include accommodations for pedestrians, bicyclists, public transit, and motorists. Complete Streets shall accommodate users of all ages and abilities.
2. Recognizing the inter-connected multi-modal network of street grid, the Borough will work with Union County and state agencies through existing planning efforts to ensure Complete Streets principles are incorporated in a context sensitive manner.
3. While Complete Streets principles are context sensitive, these features should be considered during the design, planning, maintenance and operations phases and incorporate changes into some retrofit and reconstruction projects. Departments shall reference New Jersey Roadway Design Manual; the AASHTO Guide for the Development of Bicycle Facilities; AASHTO Guide for the Planning, Design and Operation of Pedestrian Facilities; the Manual of Uniform Traffic Control Devices; the NACTO Urban Bikeway Design Guide and other design criteria as necessary, striving to balance all needs, when repaving or reconstructing streets.
4. The Planning Board, along with their respective planning and engineering professionals, shall incorporate this Complete Streets policy into its reviews and recommendations of major site plan and development/redevelopment projects; that all initial planning and designing studies, environmental reviews and other project reviews for projects requiring funding or approval by the Borough should (a) evaluate the effect of the proposed project on safe travel by all users, and (b) identify measures to mitigate any adverse impacts on such travel that are identified.
5. To facilitate timely implementation of the Complete Streets policy, the following steps shall be taken:
 - a. A memorandum outlining this new policy will be distributed to all department heads on or before May 1, 2014 of this resolution.
 - b. At least one training session about Complete Streets will be conducted for appropriate staff of the Borough on or before July 1, 2014.

- 6. Exceptions may be made to the policy and its implementation under any one of the following conditions and presented to the Mayor and Council with detailed explanation for approval:
 - a. Bicycle and pedestrian facilities are not required where they are prohibited by law.
 - b. Public transit facilities shall not be required on streets not serving as transit routes.
 - c. When the cost of incorporating new bicycle, pedestrian, and/or public transit facilities is excessive, defined as greater than 20% of the overall project cost, the need for and/or probable use of the facility shall be considered in making the determination as to whether or not an exception should be approved at this time or held for future consideration. This determination may occur during the budget and capital improvements program approval process or when project plans and specifications are being prepared. Exceptions due to cost increases shall be sent to Mayor and Council for formal approval.

FOR: Huegel, Molenaar, Boris, Kranz, Levine
 AGAINST: None
 ABSENT: Mitchell
 ABSTAINED: None

D. Land Use and Historic Preservation (Councilman Molenaar)

Resolution 14-03-56

Molenaar/Huegel moved to adopt Resolution 14-03-56. Motion carried on the following roll call vote.

WHEREAS, the Borough has received a 2013 Union County Historic Preservation Grant to renovate the South-East (Main Entry) Façade and the single door on the North-West Façade of the Patricia M. Kuran Cultural Arts Center requiring architectural design, bidding and construction administration services, and

WHEREAS, Wengerkois Architects has submitted a proposal to complete the design and construction administration phases of the project for the Borough, in an amount not to exceed \$4,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Fanwood Council that Wengekois Architects is awarded the contract to provide an architectural design, bidding documents and construction administration services for the renovation of the South-East Façade and the single door on the North-West Façade of the Patricia M. Kuran Cultural Arts Center.

FOR: Molenaar, Huegel, Boris, Kranz, Levine
 AGAINST: None
 ABSENT: Mitchell
 ABSTAINED: None

Resolution 14-03-57

Huegel/Molenaar moved to adopt Resolution 14-03-57. Motion carried on the following roll call vote.

WHEREAS, quotes were solicited for the re-pointing of the walls in the basement of the Community House through a Union County Historic Preservation Grant, and

WHEREAS, Masonry Preservation Group, Inc. submitted a proposal for this project in the amount of \$16,000.00, and

WHEREAS, members of the Historic Preservation Commission reviewed this proposal, interviewed the successful bidder and recommends awarding the contract to Masonry Preservation Group, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Masonry Preservation Group, Inc. be awarded the contract for the re-pointing of the basement walls in the Community House.

FOR: Molenaar, Huegel, Boris, Kranz, Levine
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

**E. Recreation and Community Services (Councilman Boris)
Resolution 14-03-64**

Boris/Molenaar moved to adopt Resolution 14-03-64. Motion carried on the following roll call vote.

WHEREAS, the Mayor and Council have a need to acquire engineering services for the construction of a skate park at Forest Road Park, and

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

WHEREAS, Adams, Rehmann & Heggan Associates, Inc. submitted a response to an RFQ issued by the Mayor and Council for engineering services, and

WHEREAS, 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, Adams, Rehmann & Heggan Associates, Inc. 850 South White Horse Pike, PO Box 579, Hammonton, NJ 08037-2019 be, and hereby is, appointed as Engineer for the construction of a skate board park at Forest Road Park.

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 Adams, Rehmann & Heggan Associates, Inc., in accordance with the terms of this Resolution and the attached Notice approved by the Borough Attorney.

FOR: Boris, Molenaar, Huegel, Kranz, Levine
AGAINST: None
ABSENT: Mitchell
ABSTAINED: None

MEETING OPEN TO THE PUBLIC

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

No one spoke.

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

COUNCIL COMMENTS

Councilman Molenaar stated that NJ American Water is funding their improvement by taxing consumers and urged consumers to support a gas tax for bridge improvements.
Councilman Kranz congratulated John Piccola for his award.

Councilman Huegel wished everyone a Happy Spring and stated that if we “see something say something”.

Councilman Boris commended John Piccola and the entire Fire Department for their volunteer service to Fanwood.

Councilman Levine wished all a good night.

Mayor Mahr thanked all who came to the meeting tonight.

EXECUTIVE SESSION

None

ADJOURNMENT

Kranz/Boris moved to adjourn at 9:20 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk