

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL REGULAR MEETING
JUNE 17, 2014**

The Regular Meeting of the Mayor and Council was held on June 17, 2014 at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:05 PM.

Mayor Colleen Mahr 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: Kevin Boris, Russell Huegel, Tom Kranz, Daniel Levine, Katherine Mitchell

Absent: Jack Molenaar

Also Present: Mayor Colleen Mahr, Eleanor McGovern, Dennis Estis, Frederick Tomkins

MINUTES

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

Agenda Meetings	June 4, 2014 (Levine abstained)
Regular Meeting	April 16, 2014
Special Meetings	June 4, 2014 (Boris, Levine abstained)

APPOINTMENTS/RESOLUTIONS/PROCLAMATIONS/PRESENTATIONS

Resolutions:

The following resolution was read into the minutes:

MEMORIAL DAY 2014

WHEREAS, the last Monday in May is set aside to mourn our service men and women who answered the call of duty and made the ultimate sacrifice to maintain our freedom, and

WHEREAS, we gratefully honor their selfless service and we acknowledge a debt of honor beyond our capability to repay, and

WHEREAS, it is important for us as a community, state and country to show our gratitude for the service of all our Soldiers, Sailors, Airmen, Marines, Coast Guardsmen, and Merchant Mariners who died in the service of our Nation that we might continue to enjoy the liberties we so deeply cherish.

WHEREAS, the following Fanwood servicemen, these fallen heroes killed in action, are remembered here today:

World War I (1914-1918)
Ernest Ashworth, Jr.

World War II (1939-1945)
Walter R. Stewart **William J. Brohm, III** **Hugh MacLennan** **Theodore F. Ginder**
Richard Gere **John T. MacDermott** **Edward Stagaard** **Donald E. Vinton**

Korea (1950-1953)
Charles S. Burns, III

Vietnam (1961-1972)
Eugene W. Hendricks **Edward M. Klaniecki**

and

WHEREAS, let us pause for a moment to remember and honor those brave men and women who were lost to us; and to remember our men and women who are fighting for our freedom today.

Moment of Remembrance

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fanwood do hereby publicly honor the veterans who made the ultimate sacrifice for our nation and who courageously protected this country; to remember them on this Memorial Day, May 26, 2014; to recognize these peacemakers and peacekeepers that their sacrifices were not made in vain; and to bring Americans together in a spirit of respect, patriotism and gratitude nationally as we are doing here together today.

Proclamations:

Mayor Mahr presented a proclamation to Mallory Banks for her dedication in raising funds for autism research.

AUTISM AWARENESS MALLORY BANKS DAY

WHEREAS, approximately one in every 68 children has been diagnosed with Autism Spectrum Disorder, ASD, and

WHEREAS, ASD is a lifelong developmental disorder resulting in a range of significant impairments to an individual's communication abilities, behaviors and social interactions, and a range of other secondary medical conditions, and

WHEREAS, raising funds for research to combat this disorder is an endless challenge so for the past four years, Mallory Banks, along with her friends, Allie Weisser, Alley Zakarin and Jake Samitt have raised funds in honor of Mallory's brother, Ethan, who has ASD, and in April 2014 held a bake sale raising \$3,500.00, to be donated to this most worthwhile cause.

NOW, THEREFORE, I, Colleen Mahr, Mayor of the Borough of Fanwood do hereby proclaim June 17, 2014, **MALLORY BANKS DAY**, in the Borough to recognize her efforts and those of her friends to raise funds for the past four years, for Autism Spectrum Disorder; to commend her for her dedication in organizing and implementing these fundraisers and wish her success in all her future endeavors.

CORRESPONDENCE

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

1. County of Union
Re: Public Hearings re: Proposed Sale of Runnells Specialized Hospital/June 17, 2014 and July 1, 2014 at 6:00 pm
Disposition: Note and File.
2. PSE&G
Re: Notification of the beginning of “PSE&G’s Energy Strong Program”/Upgrading 29 substations
Disposition: Note and File.

COUNCIL REPORTS

A. Administration and Finance (Councilman Levine)

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

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

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

BE IT RESOLVED that claims in the amount of \$3,733,037.47 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, Boris, Huegel, Kranz
AGAINST: None
ABSENT: Molenaar
ABSTAINED: None

B. Public Safety Committee (Councilwoman Mitchell)

Councilwoman Mitchell gave a report on the Pilgrim Pipeline; reported on the new website in the Library and that Shade Tree planted 24 trees.

C. Public Works Committee (Councilman Huegel)

Councilman Huegel reported for the BPA’s Ladies Night Out that serviced 300 women and reported for Public Works.

D. Land Use and Historic Preservation (Councilman Molenaar)

No report.

E. Recreation and Community Services (Councilman Boris)

Councilman Boris reported for the Recreation Commission: Party in the Park, Bike training.

F. Health and Senior Citizens (Councilman Kranz)

Councilman Kranz reported for the Rescue Squad and mentioned the Concert at the Fanwood Presbyterian Church to raise funding for the Fanwood and Scotch Plains Rescue Squads.

Mayor Colleen Mahr reported that the Borough was honored by the Smart Future Agency at the Newark Club for our work in the downtown.

MEETING OPEN TO THE PUBLIC

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

No one spoke.

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

OLD BUSINESS

A. Administration and Finance (Councilman Levine)

Levine/Huegel moved to adopt the Amendment to the 2014 Municipal Budget. Motion carried on the following roll call vote.

FOR: Levine, Huegel, Boris, Kranz, Mitchell

AGAINST: None

ABSENT: Molenaar

ABSTAINED: None

Levine/Boris moved to adopt the 2014 Municipal Budget as amended. Motion carried on the following roll call vote.

FOR: Levine, Boris, Huegel, Kranz, Mitchell

AGAINST: None

ABSENT: Molenaar

ABSTAINED: None

B. Public Works (Councilman Huegel)

Ordinance 14-09-R

Huegel/Boris moved to open the Public Hearing on Ordinance 14-09-R. Motion carried.

No one spoke.

Mitchell/Kranz moved to close the Public Hearing. Motion carried.

Huegel/Boris moved to open the Public Hearing on Ordinance 14-09-R. Motion carried on the following roll call vote.

**AN ORDINANCE AMENDING CHAPTER 259
OF THE FANWOOD BOROUGH CODE
TO ESTABLISH A THREE YEAR MORATORIUM
ON THE ISSUANCE OF ROAD OPENING
PERMITS ON ANY NEWLY PAVED
OR RECONSTRUCTED STREET**

BE IT ORDAINED by the Mayor and Council of the Borough of Fanwood, County of Union, State of N.J., as follows:

Section 1. Section 259-14: "Duties of public utility corporations," of the Borough Code is hereby amended to add the following subsection (I):

- (I) On any newly paved or reconstructed street in the Borough, there shall be a three (3) year moratorium on the issuance of road opening permits. Exceptions shall be granted for emergencies including utility emergencies, utility openings that impact the safety and welfare of property owners, (e.g. generators) and/or if the applicant is able to prove

undue hardships. The Borough Engineer shall determine whether an applicant falls within these exceptions. In the event that an exception is granted during the moratorium, the applicant shall limit the disruption to the roadway pavement, gutters and curbs as much as possible, saw cut all excavations, and restore all pavement etc., to its original condition as of the date of the application, including, but not limited to, the pavement, surface treatments, curbs and striping. All repaired roadway pavement, gutters and/or curbs shall be completed utilizing infra-red technology, where applicable, within one (1) week of the repair, weather permitting. A nonrefundable fee of \$500 will be charged to open a road during the applicable moratorium. A refundable deposit will still be required in accordance with Section 259-5 above. The Borough Engineer shall also be the final determiner as to whether the roadway has been restored to its original condition.

Section 2. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

Section 3. This ordinance shall take effect upon second reading and final passage and publication in accordance with law.

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

**Recreation and Community Services (Councilman Boris)
Ordinance 14-05-R**

Boris/Huegel moved to open the Public Hearing on Ordinance 14-05-R. Motion carried.

No one spoke.

Boris/Huegel moved to close the Public Hearing. Motion carried.

Boris/Huegel moved to adopt Ordinance 14-05-R. Motion carried on the following roll call vote.

**AN ORDINANCE AMENDING CHAPTER 141
OF THE FANWOOD BOROUGH CODE
TO ALLOW THE BOROUGH AND ITS AGENCIES
INCLUDING THE RECREATION COMMISSION
TO ENGAGE FOOD HAWKERS FOR SPECIFIC EVENTS**

BE IT ORDAINED by the Mayor and Council of the Borough of Fanwood, County of Union, State of N.J., as follows:

Section 1. Section 141-19: "Nonapplicability," of the Borough Code is hereby amended as follows:

This chapter shall not apply to any person or entity engaged in the delivery of goods, wares, or merchandise or other articles or things in the regular course of business to the premises of persons ordering or entitled to receive them, and persons canvassing for charitable, religious, cultural, civic, educational, and political purposes, those engaged in interstate commerce, and those otherwise exempted by law. This Chapter shall not apply to any person or entity engaged by the Borough or any agency thereof including but not limited to the Recreation Commission. Notwithstanding anything in this Section to the contrary, §§ 141-10 and 141-11 shall apply to all

such persons referenced in this Section except for events conducted by the Borough and/or any of its agencies within the Borough, which events may go until 11:00 p.m. or unless specifically requested by the persons residing or occupying the premises in question and approved by its police department. Notwithstanding anything to the contrary in this Section, any food hawker shall still be obligated to be licensed as required by this Chapter.

Section 2. Chapter 141 of the Borough Code is hereby amended to add the following Section 22:

141-22. Borough and/or Agencies Thereof. The Borough and/or agencies of the Borough, including but not limited to the Recreation Commission, are hereby authorized to engage food hawkers to provide food vending services at events conducted by the Borough and/or its agencies which take place in parks or other public locations within the Borough in accordance with the provisions of this Section.

1. Proposals shall be solicited by the Borough or its agencies from food hawkers to provide food vendor services for specific events.
2. Requests for proposals for food vendor services shall be made pursuant to the provisions of the Local Public Contracts Law.
3. The Borough and/or the applicable agency shall select the food hawker(s) that are deemed qualified and satisfy the terms of this Chapter.
4. A minimum bid of \$35.00 per day paid to the Borough or the applicable agency is required from any food hawker selected in order to satisfy the minimum requirements of any bid.
5. The Borough and/or the applicable agency may provide for exclusivity as it relates to specific food types.
6. Any food hawker selected is permitted to sell non-alcoholic beverages in addition to the specific food.
7. All food hawkers selected are responsible for obtaining approval from the Board of Health and complying with all laws controlling the sale of food and beverages.
8. All products sold, disposed of or offered for sale shall comply with all laws and ordinances of the Borough relating to food and food products.
9. Each food hawker selected is obligated to bring his/her/its own equipment and personnel to sell food products.
10. No food hawker selected shall misrepresent the character or quality of the merchandise offered for sale.
11. Each food hawker selected shall provide a trash receptacle as part of the set-up and shall be responsible for keeping the area designated for the hawker's use clean during the event and leave the area prior to its departure in the same condition the area was in at the beginning of the event. Failure to satisfy this provision will bar such hawker for a period of one year from future such events.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby

repealed.

Section 4. This ordinance shall take effect upon second reading and final passage and publication in accordance with law.

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

NEW BUSINESS

A. Administration and Finance (Councilman Levine)

Resolution 14-06-95

Levine/Boris moved to adopt Resolution 14-06-95. Motion carried.

WHEREAS, applications for liquor license renewals for License Year 2014-2015 have been filed with the Clerk; the required fees paid; and tax clearance certificates from the Department of the Treasury have been received for the following:

Limited Retail Distribution License:

The Great Atlantic & Pacific Tea Co., Inc.
T/A Great A & P Tea Co., Inc.
105 South Avenue
2005-43-002-002

Plenary Retail Consumption License:

Oh' Brian's Pour House, Inc.
200 South Avenue
Fanwood, NJ 07023
2005 33 004 009

Plenary Retail Distribution License:

Gapp Liquor LLC
T/A Fanwood Liquors
61 South Avenue
Fanwood, NJ 07023
2005 44 001 004

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that liquor licenses be issued, for the period July 1, 2014 through June 30, 2015, for the licensees listed above.

Resolution 14-06-96

Levine/Boris moved to adopt Resolution 14-06-96. Motion carried.

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A
COOPERATIVE AGREEMENT WITH THE COUNTY OF UNION FOR FISCAL YEARS 2015 -
2017**

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

WHEREAS, Title I of the Housing and Community Development Act of 1974 provides for substantial federal funds being made to certain urban counties for use therein through the Community Development Block Grant (“CDBG”) Entitlement Program, HOME Investment Partnerships (“HOME”) Program and Emergency Solutions Grants (“ESG”) Program; and

WHEREAS, a Cooperative Agreement between the County of Union and the Municipality of Fanwood shall be utilized to establish a legal mechanism through which the County government may apply for, receive and disburse federal funds from federal fiscal year 2015, 2016 and 2017 appropriations; and

WHEREAS, it is the desire of the Municipality of Fanwood to enter into a Cooperative Agreement with the County of Union for successive three year periods; and

WHEREAS, it is the desire of the County of Union to re-qualify for Entitlement status as an Urban County.

NOW THEREFORE BE IT RESOLVED that the Municipality of Fanwood hereby is authorized to enter into and execute said Cooperative Agreement. Said Cooperative Agreement is to be substantially in the form of Agreement attached hereto and made a part hereof; and

BE IT FUTHER RESOLVED that a copy of the Resolution shall be forwarded to the County of Union.

Resolution 14-06-97

Levine/Boris moved to adopt Resolution 14-06-97. Motion carried.

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF FANWOOD TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2011

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Fanwood and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Fanwood that the agreement entitled “**COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN**

COMMUNITY DEVELOPMENT ACTIVITIES,” dated June 2011, for the Purpose of Inserting a Description of Activities for Fiscal Year 2014-2015 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Resolution 14-06-98

Levine/Boris moved to adopt Resolution 14-06-98. Motion carried.

WHEREAS, due to the delay in approval of the Municipal Budget by the State, the County has not been able to strike a tax rate for the Borough of Fanwood for 2014, therefore, tax bills may not be prepared in a timely manner, and

WHEREAS, the CFO and Tax Collector have completed calculations for estimated tax bills in accordance with NJSA 54:4-66.2 and have determined the percent of increase is within the permissible range to prepare and mail estimated bills if the need arises.

WHEREAS, in accordance with NJSA 54:4-66.3d., third installment taxes due August 1st shall not be subject to interest until the twenty fifth calendar day after the date of mailing.

NOW, THEREFORE, BE IT RESOLVED the Tax Collector is hereby authorized to mail a notice with tax bills specifying the date on which interest may begin to accrue if late mailing occurs and/or notice that bill is an estimate and will be subject to adjustment in the 4th quarter.

Resolution 14-06-99

Levine/Boris moved to adopt Resolution 14-06-99. Motion carried.

WHEREAS, Marta G. Bado, Bados Ice Cream, 331 Harrison Avenue, Roselle, NJ 07203 has applied for a 2014 Peddler’s license and paid the appropriate fee, and

WHEREAS, the application has been reviewed and approved by the Fanwood Police Department.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fanwood do hereby authorize a Peddler’s License, to sell ice cream, be issued to Bados Ice Cream, March 1, 2014 to February 28, 2015.

Resolution 14-06-100

Levine/Boris moved to adopt Resolution 14-06-100. Motion carried.

**EXTENSION OF LICENSE TO TRUSTEE
2005-33-003-012**

WHEREAS, an application has been filed for an extension of Plenary Retail Consumption License, 2005-33-003-012, to the Trustee in Chapter 7 Bankruptcy; and

WHEREAS, the submitted application form is complete in all respects, including proof of

appointment to act as the Trustee in Chapter 7 Bankruptcy.

NOW, THEREFORE, BE IT RESOLVED that the Fanwood Borough Council does hereby approve, effective June 17, 2014 the extension of the aforesaid Plenary Retail Consumption license to Donald V. Biase to conduct business under the privileges, terms and conditions of the license as Trustee in Chapter 7 Bankruptcy of the Fanwood Ale House, Inc. until such time as the license may be transferred in compliance therewith and directs the Municipal Clerk to endorse the License Certificate as follows: "This license is hereby extended, subject to all its terms and conditions to Donald V. Biase, until June 30, 2014".

Resolution 14-06-101

Levine/Boris moved to adopt Resolution 14-06-101. Motion carried.

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2014 Safe Routes to Schools Program for the Borough of Fanwood Safe Routes to School project which will positively impact Park Middle School and School One.

WHEREAS, the Borough of Fanwood continues to develop projects that will improve access and maintenance on public roads and sidewalks; and

WHEREAS, the engineer for the Borough of Fanwood has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads and sidewalks; and

WHEREAS, the Borough of Fanwood has designed curb and sidewalk project for safety improvements for Park Middle School and School One students; and

WHEREAS, the Borough of Fanwood, Department of Public Works will assume all responsibility with regard to maintenance and upkeep of this project; and

WHEREAS, the Borough of Fanwood, Department of Public Works will assign Clint Dickson, Director of Public Works, **who will serve as the responsible charge for the project; and**

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fanwood, in the County of Union, State of New Jersey formally approves the grant application for the Madison Avenue Safe Routes to Schools project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *SRS-I-2014-Fanwood Borough-00143* to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Fanwood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution 14-06-102

Levine/Boris moved to adopt Resolution 14-06-102. Motion carried

BE IT RESOLVED by the Borough Council that the Clerk is hereby authorized to receive

bids/Request For Proposal, for the following projects:

Construction of a Skate Board Park in Forest Road Park
Architect for the Analysis of the Administration Office
Re-bid the Operation at the Recycling Center

Ordinance 14-10-R

Levine/Huegel moved to adopt Ordinance 14-10-R on first reading. Motion carried. Second Reading and Public hearing will be held on July 15, 2014.

**AN ORDINANCE AMENDING CHAPTER 34
OF THE FANWOOD BOROUGH CODE RELATING TO THE
LENGTH OF SERVICE AWARDS PROGRAM**

Ordinance 14-11-S

Levine/Huegel moved to adopt Ordinance 14-11-S on first reading. Motion carried. Second Reading and Public Hearing will be held on July 15, 2014.

**AN ORDINANCE AMENDING SALARY ORDINANCE
NO. 13-16-S OF THE BOROUGH OF FANWOOD
TO MANDATE DIRECT DEPOSIT**

Ordinance 14-12-R

Levine/Huegel moved to adopt Ordinance 14-12-R on first reading. Motion carried. Second Reading and Public Hearing will be held on July 15, 2014.

**AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST
CABLEVISION OF NEW JERSEY II, LLC TO CONSTRUCT, CONNECT, OPERATE AND
MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH
OF FANWOOD NEW JERSEY**

Ordinance 14-13-R

Levine/Huegel moved to adopt Ordinance 14-13-R on first reading. Motion carried. Second Reading and Public Hearing will be held on July 15, 2014.

**AN ORDINANCE AMENDING CHAPTER 252
OF THE FANWOOD BOROUGH CODE RELATING
TO SOLID WASTE COLLECTION DISTRICT NO. 1**

Resolution 14-06-109

Levine/Huegel moved to adopt Resolution 14-06-109. Motion carried on the following roll call vote.

BE IT RESOLVED by the Borough Council that Kelly Magnus is hereby contracted as an interviewer to work with Fanwood's TV 35 videographer, as of April 1, 2014, at an annual fee of \$3,000.00.

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

Resolution 14-06-110

Levine/Huegel moved to adopt Resolution 14-06-110. Motion carried on the following roll call vote.

BE IT RESOLVED by the Borough Council that Michael Lewis is hereby appointed to maintain the Fanwood TV 35's Bulletin Board and provide daily programming for the PEG's station as of June 1, 2014, at an annual fee of \$3,500.00.

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

B. Public Safety (Councilwoman Mitchell)

Resolution 14-06-103

Huegel/Mitchell moved to consider this Resolution after the scheduled Executive Session. Motion carried.

C. Public Works (Councilman Huegel)

Resolution 14-06-104

Huegel/Mitchell moved to adopt Resolution 14-06-104. 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 Engineering Services related to Hunter Avenue Reconstruction Phase 2 for construction administration and inspection services - \$34,750.

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 14-06-104**

CONTRACTOR: T & M Associates
1373 Broad Street
Clifton, NJ 07013-4231

NATURE OF SERVICE: To provide engineering services for Hunter Avenue Reconstruction Phase 2/contract administration and inspection services.

DURATION: Period ending December 31, 2014

AMOUNT: Not to exceed \$34,750.00

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

Resolution 14-06-105

Huegel/Kranz moved to adopt Resolution 14-06-105. 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 Engineering Services related to Burns Way for design & survey services - \$44,500.

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 14-06-105**

CONTRACTOR: T & M Associates
1373 Broad Street
Clifton, NJ 07013-4231

NATURE OF SERVICE: To provide engineering services for Burns Way Reconstruction/Design and survey services.

DURATION: Period ending May 31, 2015

AMOUNT: Not to exceed \$44,500.00

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, Mitchell
AGAINST: None
ABSENT: Molenaar
ABSTAINED: None

Resolution 14-06-106

Huegel/Kranz moved to adopt Resolution 14-06-106. Motion carried on the following roll call vote.

WHEREAS, quotes were solicited by the Purchasing Agent for the purchase of 280 tons of certified clean fill material and to lay 6 ML landscape fabric in the Downtown Redevelopment Area parking lot , from four companies and the State of New Jersey and

WHEREAS, three companies and the State of New Jersey were unresponsive, and

WHEREAS, one company, **Active Remediation Services, 203 Pine Street, Mount Holly, New Jersey**, responded with a total quote of \$14,785, as outlined in his proposal of May 22, 2014: Excavator, \$6,325.00/day; 7,440 sf of landscape fabric, @ \$1,160.00; and approximately 292 tons of backfill @ \$7,300.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Active Remediation Services is hereby awarded the contract for providing the material and labor necessary for the project as outlined above, at a cost not to exceed \$14,785.00.

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

Resolution 14-06-107

Huegel/Levine moved to adopt Resolution 14-06-107. 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 responded to the Borough’s Request for Qualifications on May 10, 2013 and the Borough has deemed it to be appointed Environmental Engineer, and

WHEREAS, **CTM Environmental, 200 Pennsville-Auburn Road, Pedricktown, NJ 08067** submitted a proposal dated June 2, 2014, for courtyard/parking area clean over cap construction/229 LaGrande Avenue/Lot 6.02/Block 64, and

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 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 14-06-107**

CONTRACTOR:	CTM Environmental 200 Pennsville-Auburn Road Pedricktown, NJ 08067
NATURE OF SERVICE:	Engineering Services Block 64 Lot 6.02 as outlined in their Proposal dated June 2, 2014
DURATION:	Period ending December 31, 2014
AMOUNT:	Not to exceed \$2,275.00

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

Resolution 14-06-108

Huegel/Mitchell moved to adopt Resolution 14-06-108. Motion carried on the following roll call vote.

WHEREAS, the following bids were received on June 12, 2014 for the Vinton Circle Reconstruction project:

Fischer Contracting 10 Short Hills Lane Scotch Plains, NJ 07076	\$396,989.50
Stilo Excavating Inc. 2907 South Clinton Avenue South Plainfield, NJ 07080	\$461,500.00
Top Line Construction 22 Fifth Street Somerville, NJ 08876	\$459,268.79
DM Fernandes Contracts 551 N. Broad Street Elizabeth, NJ 07208	\$452,381.00

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the documents submitted with the bid and found them to be in order and recommends Fischer Contracting be awarded the contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood that Fischer Contracting. is hereby awarded the contract for the Vinton Circle Road Reconstruction Project, in an amount not to exceed \$396,989.00.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Fischer Contracting, the Borough Engineer and the Chief Financial Officer.

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

MEETING OPEN TO THE PUBLIC

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

Michael Lewis, 41 Beech Avenue, questioned the construction of the Skate Board Park.

Joseph Nagy, Oakwood Court, presented Council with statistical history relating to the Borough's population.

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

EXECUTIVE SESSION

Councilman Kranz left the meeting at 8:50 pm.

Boris/Mitchell moved the meeting into Executive Session to discuss personnel and contract negotiations (Recycling Center). Motion carried.

Boris/Levine moved to return to the normal order of business. Motion carried.

Mitchell/Huegel moved to change order of business to consider Resolution 14-06-103. Motion carried.

Resolution 14-06-103

Mitchell/Huegel moved to adopt Resolution 14-06-103. Motion carried on the following roll call vote.

WHEREAS, Captain Edward White is retiring on June 30, 2014, and

WHEREAS, the Police Chief requests authorization to hire a new Probationary B Patrolman, Daniel Kranz, on July 15, 2014, who will attend the John H. Stamler Police Academy in Scotch Plains.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby authorizes the hiring of a new Probationary B Patrolman as of July 15, 2014.

FOR: Mitchell, Huegel, Boris, Levine

AGAINST: None

ABSENT: Molenaar, Kranz

ABSTAINED: None

ADJOURNMENT

Boris/Mitchell moved to adjourn at 9:05 PM. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk