

**BOROUGH OF FANWOOD  
MAYOR AND COUNCIL SPECIAL MEETING  
NOVEMBER 7, 2016**

A Special Meeting of the Mayor and Council was held on November 7, 2016 at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:10 pm.

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

Present: Russell Huegel, Tom Kranz, Katherine Mitchell, Erin McElroy Barker, Jack Molenaar  
Absent: Kevin Boris  
Also Present: Colleen Mahr, Eleanor McGovern, Ryan McInerney for Dan McCarthy, Frederick Tomkins, Peter Bondar, Liz Jeffrey

Mayor Colleen Mahr stated that this Special Meeting was being held to consider the adoption of three ordinances, a redevelopment agreement with JOBAR, INC. and a change order to an existing contract.

Liz Jeffrey, Downtown Redevelopment Coordinator, gave a report on the current status of the downtown area.

**NEW BUSINESS**

**A. Administration and Finance (Councilman Huegel)**

Huegel/Mitchell moved to change the order of business to A.2. Motion carried.

**Ordinance 16-13-S**

Huegel/Kranz moved to adopt Ordinance 16-13-S on first reading. Motion carried.

**AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY  
APPROPRIATION PURSUANT TO N.J.S.A. 40a:4-53 FOR  
LIABILITIES RESULTING FROM EXPENSES INCURRED, OR TO BE INCURRED,  
BY PREPERATION OF TAX MAPS**

Second Reading and Public Hearing will be held on November 21, 2016 at 7:00 pm.

**B. Public Safety (Councilman Boris)**

**Ordinance 16-11-R**

Kranz/Huegel moved to adopt Ordinance 16-11-R on first reading. Motion carried.

**AN ORDINANCE AMENDING ARTICLE VIII, SECTION 280-46 and  
280-49 OF CHAPTER 280 "REVISED ORDINANCES OF THE BOROUGH  
OF FANWOOD, NEW JERSEY" BY AMENDING OR REPEALING  
SECTIONS OF SCHEDULES I AND IV**

Second Reading and Public Hearing will be held on November 21, 2016 at 7:00 pm.

**Ordinance 16-12-R**

Kranz/Huegel moved to adopt Ordinance 16-12-R on first reading. Motion carried.

**AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION,  
AND STATE OF NEW JERSEY, AMENDING CHAPTER 280 OF THE  
FANWOOD BOROUGH CODE REGARDING THE SPEED LIMIT ON NORTH  
AVENUE**

Second reading and Public Hearing will be held on November 21, 2016 at 7:00pm.

**C. Public Works (Councilman Molenaar)**

**Resolution 16-11-162**

Molenaar/Kranz moved to adopt Resolution 16-11-162. Motion carried on the following roll call vote.

**WHEREAS**, Stilo Excavation Inc was awarded the contract for the 2016 road improvement program through Resolution 16-07-105 in the amount of \$319,294.74, and

**WHEREAS**, it has become necessary to expand the scope of the project to include the following:

- Accommodation of additional under drain tie-ins
- Driveway repairs at 26 Waldon Road
- Reinforced concrete driveway aprons

and

**WHEREAS**, the Chief Financial Officer certifies that there is additional funding for this Change Order.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council authorizes Change Order No.1 to this project, in the amount of \$35,280.00, increasing the cost of the project to \$354,574.74.

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

Huegel/Mitchell moved the meeting back to Resolution 11-11-161. Motion carried.

**Resolution 16-11-161**

Huegel/Mitchell moved to adopt Resolution 16-11-161. Motion carried on the following roll call vote.

**RESOLUTION AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT AND  
EASEMENT AGREEMENTS WITH JOBAR REALTY CO. INC. AS REDEVELOPER FOR A  
CERTAIN PROPERTY LOCATED WITHIN THE  
BOROUGH OF FANWOOD REDEVELOPMENT AREA**

**WHEREAS**, on October 12, 2000, the Mayor and Council of the Borough of Fanwood(“Council”) adopted Resolution No. 00-10-144 authorizing the Planning Board of the Borough of Fanwood (“Fanwood”) to undertake a preliminary investigation to determine whether the area of Fanwood bounded by Martine Avenue, South Avenue, La Grande Avenue and Second Street, or any part thereof, (the “Redevelopment Area”)met the criteria set forth in N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law (“Redevelopment Law”) as an area in need of redevelopment;

**WHEREAS**, for the reasons set forth in the Resolution of the Planning Board dated May 23, 2001,

incorporated herein by reference, and for the reasons set forth in the report entitled “Redevelopment Area Study for the Block Bounded by South Avenue, Martine Avenue, LaGrande Avenue and Second Street in the Borough of Fanwood, New Jersey” dated March 2001, the Council adopted Resolution 01-0691 on June 14, 2001, designating the Redevelopment Area as an area in need of redevelopment; and

**WHEREAS**, on March 14, 2002, the Borough Council adopted Ordinance 02-01-R adopting a redevelopment plan for the Redevelopment Area (“Redevelopment Plan”) which was subsequently amended on May 20, 2002, February 8, 2005, December 5, 2008 and September 14, 2010;

**WHEREAS**, JOBAR Realty Co. Inc. (the “Redeveloper”) is the owner of property in the Redevelopment Area, the property located at 35 Second Avenue, also known as Block 64, Lot 22(the “Property”); and

**WHEREAS**, the Redeveloper is proposing the development of mixed use project including ground floor retail space and residential units in multi-story structure on the Property ( the “Project”); and

**WHEREAS**, the Redeveloper was designated as Redeveloper on December 2015, which authorized Redeveloper to negotiate a Redevelopment Agreement and the Council has determined that the parties shall enter into a Redevelopment Agreement to develop the Property in substantially the same form as the Redevelopment Agreement attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Fanwood that JOBAR Realty Co. Inc. as follows:

Section 1: The Mayor is authorized to execute a Redevelopment Agreement and Easement Agreements in forms to be agreed to and approved by counsel and JOBAR Realty Co. Inc.

Section 2: Notice of this action shall be published in accordance with law.

Section 3: A copy of this Resolution shall be filed in the Office of the Borough Clerk.

Section 4: This Resolution shall take effect immediately.

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

**MEETING OPEN TO THE PUBLIC**

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

**ADJOURNMENT**

Mitchell/Kranz moved to adjourn the meeting at 7:30 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern, Borough Clerk