

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

This Special Meeting of the Mayor and Council was held on August 7, 2017 at Fanwood Borough Hall, 75 North Martine Avenue, Fanwood, NJ at 8:05 pm.

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

Present: Tom Kranz, Erin Mcelroy-Barker, Katherine Mitchell, Jack Molenaar
Absent: Kevin Boris, Russell Huegel
Also Present: Colleen Mahr, Eleanor McGovern, Frederick Tomkins, Daniel McCarthy, Antonios Panagopoulos, Liz Jeffery

Mayor Mahr stated that this meeting was being held to adopt a bond ordinance and three grant submittal resolutions.

OLD BUSINESS

A. Administration and Finance (Councilman Huegel)

Ordinance 17-12-S

Kranz/Molenaar moved to open the Public Hearing on Ordinance 17-12-S. Motion carried.

No one spoke.

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

Mcelroy-Barker/Molenaar moved to adopt Ordinance 17-12-S on second reading. Motion carried on the following roll call vote.

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$505,000 FOR IMPROVEMENTS TO FOREST ROAD PARK, IN AND BY THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$273,750 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Borough of Fanwood, in the County of Union, New Jersey (the "Borough") as a general improvement. For the said Improvement, there is hereby appropriated the

amount of \$505,000, such sum includes the sum of (a) \$151,250 expected to be received from the New Jersey Department of Environmental Protection and (b) \$80,000 expected to be received from a Union County Kids Recreation Grant. In addition, a supplemental appropriation for the Improvements in the amount of \$71,250 was made pursuant to a previously adopted bond ordinance of the Borough. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein is in connection with improvements funded by a State grant in the amount of \$151,250 from the New Jersey Department of Environmental Protection - Green Acres as permitted under N.J.S.A. 40A:2-11c.

SECTION 2:

In order to finance the cost of the Improvement, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$273,750 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$273,750 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is for improvements to Forest Road Park, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$273,750.

(c) The estimated cost of the Improvement is \$505,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$273,750 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Borough authorized therefore by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be

direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvement prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$273,750.

SECTION 10.

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

NEW BUSINESS

A. Recreation and Community Services (Councilwoman Mcelroy- Barker)

Resolution 17-08-149

Mcelroy-Barker/Mitchell moved to adopt Resolution 17-08-149. Motion carried.

**RESOLUTION AUTHORIZING SUBMISSION OF
2017 KIDS RECREATION TRUST GRANT APPLICATION**

WHEREAS, the Union County Board of Chosen Freeholders has announced that it is accepting grant applications through the Open Space, Recreation and Historic Preservation Trust Fund that are due August 14, 2017; and

WHEREAS, this year’s grant round funds summer recreational programs for Union County youth as well as overall recreational improvements within each municipality; and

WHEREAS, the grant request requires a match of \$1 for every \$1 in award money; and

WHEREAS, the Borough of Fanwood seeks to propose the Forest Road Development Project, which will include elements for both passive and active recreational enjoyment; and

WHEREAS, the Borough of Fanwood wishes to request \$71,000.00 from the Union County Open Space, Recreation and Historic Preservation Trust Fund and pledges \$71,000.00 as a match.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Fanwood that the Borough Council approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Borough Council is hereby authorized to submit said grant application to the Union County Board of Chosen Freeholders on behalf of the Borough of Fanwood.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to sign the grant agreement assurances on behalf of the Borough of Fanwood, and that her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution 17-08-150

Mcelroy-Barker/Mitchell moved to adopt Resolution 17-08-150. Motion carried.

WHEREAS, the Borough of Fanwood is desirous of partnering with the Township of Scotch Plains and the Scotch Plains Fanwood Board of Education in submitting an application to Union County for its 2017 Union County Kids Recreation Grant for field improvements at Terrill Middle School as a shared service, and

WHEREAS, the Township of Scotch Plains will be submitting an application for the 2017 Union County Kids Recreation Grant on behalf of the Board of Education and the Borough of Fanwood in the amount of \$250,000, for the continued improvement to Terrill Middle School fields as Phase II. Fanwood's obligation for this submission would be \$50,000 if we are awarded the full amount of \$250,000.

NOW, THEREFORE, BE IT RESOLVED, the Borough Council of the Borough of Fanwood hereby authorizes Fanwood's participation in this project, since playing fields are at a premium and this project will allow a new field that will enhance the sports programs of the three agencies.

B. HEALTH AND SENIOR SERVICES (Councilwoman Mitchell)

Resolution 17-08-151

Mitchell/Kranz moved to adopt Resolution 17-08-151. Motion carried.

WHEREAS, the voters of Union County overwhelmingly voted in favor of the Union County Open Space, Recreation and Historic Preservation Trust Fund in November of 2000, and

WHEREAS, the 2005 Chairman's Initiatives called for the creation of the "Greening Union County" grant program, a tree planting program that seeks to plant 4,000 new trees throughout Union County over the next several years, and

WHEREAS, through "Greening Union County", every tree purchased by Fanwood will be matched by Union County, tree for tree and dollar for dollar, and

WHEREAS, through "Greening Union County", a forestry professional will provide the installation and a one-year maintenance guarantee for every tree purchased, and

WHEREAS, the Borough of Fanwood wishes to apply to the Union County Trust Fund through the “Greening Union County” grant program for the purchase and installation of 8 trees to be planted throughout Fanwood, and

WHEREAS, the Borough of Fanwood will match the “Greening Union County” grant program dollars when the cost is determined, and

WHEREAS, the Borough of Fanwood will use the Trust Fund dollars in accordance with such rules and regulations governing the grant program.

NOW, THEREFORE, the governing body resolves that Steven Falco or the successor to the office of Chair of the Shade Tree Commission is hereby authorized to:

- (a) make application for the grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant.

PRIVILEGE OF THE FLOOR BY 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 at 8:10 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk