

**BOROUGH OF FANWOOD  
MAYOR AND COUNCIL REGULAR MEETING  
OCTOBER 16, 2017**

The Regular Meeting of the Mayor and Council was held on October 16, 2017, at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:05 PM.

Mayor Colleen Mahr presided and stated: I hereby announce and request that such be included in the minutes of the meeting that notice of time, place and date of this meeting has been prominently posted on the bulletin board at Borough Hall; mailed to the Times, The Star Ledger, Courier News, PATCH, Alternate Press by January 10, 2017 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 Colleen Mahr.

Present: Kevin Boris, Russell Huegel, Tom Kranz, Erin Mcelroy-Barker, Katherine Mitchell, Jack Molenaar  
Absent: None  
Also Present: Mayor Colleen Mahr, Eleanor McGovern, Daniel McCarthy, Antonios Panagopoulos

**MINUTES**

Mitchell/Mcelroy-Barker moved to adopt the minutes as presented. Motion carried.

Regular Meeting	September 18, 2017
Special Meeting	October 3, 2017
Agenda Meeting	September 5, 2017 and October 3, 2017

**APPOINTMENTS AND ANNOUNCEMENTS**

**Presentations:**

Mayor Mahr presented Sandra Redder with a Devlin print of the Community House for her volunteer services as a member of the Environmental Commission. Sandra was present to receive this award.

Tina Early, Elizabethtown Gas Company presented the Mayor and Council with the gas company's plans for improvements to their gas pipes in Fanwood.

**Proclamations:**

Councilman Molenaar presented the proclamation for Fire Prevention Week to Dave Zawodniak, Assistant Fire Chief.

**NATIONAL FIRE PREVENTION WEEK  
OCTOBER 8 – 14, 2017**

**WHEREAS, National Fire Prevention Week** is celebrated this year October 8 through October 14, 2017, and

**WHEREAS,** this year's theme is "Every Second Counts: Plan 2 Ways Out", and

**WHEREAS**, some key messages from our Firemen: draw map of home, practice your drill two times a year, plan two ways out, when out stay out, be sure house number is visible to firemen, close doors behind you as you leave, and

**WHEREAS**, half of all United States home fire deaths occur at night between the hours of 11:00 pm and 7:00 am, when people are most likely to be sleeping, and

**WHEREAS**, statistics tell us that in 2015, United States Fire Departments responded to 365,500 home structure fires; that roughly three out of five home fire deaths resulted in homes which either no smoke alarm was present or one alarm was present but inoperable; and that on average, seven people die in home fires every day, and

**WHEREAS**, the Mayor and Council are very proud and honor the dedicated members of the Fanwood Fire Department for their exceptional service to our community and the annual educational programs they give to our school children every year showing them ways to protect themselves when fires threaten their lives.

**NOW, THEREFORE**, I, Colleen Mahr, Mayor of the Borough of Fanwood do hereby proclaim October 8 through 14, 2017 **NATIONAL FIRE PREVENTION WEEK** in the Borough and encourage all citizens to create an escape plan in their homes for themselves and their families and install smoke alarms that cut the risk of dying in home fires in half.

Councilman Kranz read the following Breast Cancer Awareness Month proclamation:

**BREAST CANCER AWARENESS MONTH  
OCTOBER 2017**

**WHEREAS**, October is National Breast Cancer Awareness Month, an annual international health campaign, and

**WHEREAS**, National Breast Cancer Awareness Month remains dedicated to increasing public knowledge about the importance of early detection of breast cancer diagnosis and treatment; and

**WHEREAS**, many women still do not utilize mammography at regular intervals even though research indicates it is the best available method of detection; and

**WHEREAS**, breast cancer is the second most common kind of cancer among women, and

**WHEREAS**, in the United States about 1 in 8 women (12%) will develop invasive breast cancer at some point during their lifetime, and

**WHEREAS**, the American Cancer Society estimates that 252,710 new cases of invasive breast cancer will be diagnosed in women in 2017 in the United States and about 40,610 women will die from this disease, and

**WHEREAS**, taking advantage of early detection methods such as mammography and clinical breast exams could help the breast cancer death rate drop by approximately 30%; and

**WHEREAS**, the American Cancer Society has searched endlessly for a cure through vital research and has the enormous task of educating our community and all Americans of the risks of breast cancer through its many volunteers who offer assistance in the form of support groups, accommodations, transportation, medical equipment and more.

**NOW, THEREFORE**, I, Colleen Mahr, Mayor of the Borough of Fanwood do hereby proclaim October 2017 as **BREAST CANCER AWARENESS MONTH** in the Borough of Fanwood and urge all women and their families to avail themselves of early detection methods such as annual mammography testing and clinical breast exams.

Councilman Boris read the following Crossing Guard Appreciation Day proclamation:

**CROSSING GUARD APPRECIATION DAY  
OCTOBER 16, 2017**

**WHEREAS**, Crossing Guards work to ensure the safety and welfare of students of all ages as they travel to and from school, by directing traffic and signaling the safe crossing of dangerous streets and intersections; and

**WHEREAS**, State law requires that crossing guards meet certain qualifications, complete classroom instruction and supervised field training, and be provided with an identifying uniform including a safety vest; and

**WHEREAS**, Crossing Guards must be able to communicate clearly and exercise good judgment as they are called upon to intervene in potential emergencies and are charged with monitoring students and reporting observations about accidents, fights, or other dangers, to facilitate follow-up by appropriate personnel; and

**WHEREAS**, the number of schools located in pedestrian friendly neighborhoods is one reason for the state's high concentration of crossing guards and, in recent years, increased numbers of students walk or bike to school making crossing guards even more important; and

**WHEREAS**, Crossing Guards dutifully perform their responsibilities in the service of others while putting themselves at risk for injuries.

**NOW, THEREFORE**, I, Colleen Mahr, Mayor of the Borough of Fanwood, hereby proclaims October 16, 2017, **Crossing Guard Appreciation Day**, in the Borough, and urges Fanwood's residents to acknowledge the Borough's Crossing Guards in a special way.

Councilwoman Mitchell presented Carol Campell with the following National Friends of the Library proclamation:

**NATIONAL FRIENDS OF LIBRARIES WEEK  
OCTOBER 15 – 21, 2017**

**WHEREAS**, Friends of the (insert name) Library raise money that enables our library to move from good to great, providing the resources for adult and children’s programming, much needed equipment, support for children’s summer reading, and other items that the library’s operating budget cannot cover; and

**WHEREAS**, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present; and

**WHEREAS**, the Friends understand the critical importance of well funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers’ advisory, and children’s services; and

**WHEREAS**, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

**NOW, THEREFORE, BE IT RESOLVED** that I, Colleen Mahr, Mayor of the Borough of Fanwood proclaims October 15-21, 2017, as **FRIENDS OF LIBRARIES WEEK** in (city, country, state) and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

**PRESENTATION OF COMMUNICATIONS AND REFERRAL**

1. Rockin’ for Autism  
Re: Thanking Council for their support in 2017 and establishing a date for 2018 to be April 14, 2017.  
Disposition: Note and File

**STANDING COMMITTEE REPORTS**

- A. Administration and Finance (Councilman Huegel)**  
Huegel/Kranz moved the Tax Collector’s report for the month of September. Motion carried.  
Councilman Huegel gave a report for the Finance Committee.
- B. Public Safety (Councilman Boris)**  
Councilman Molenaar reported for the Police Department.
- C. Public Works (Councilman Molenaar)**  
Councilman Molenaar reported for the Historic Preservation Commission and commented about the recycling tonnage the residents have obtained by recycling in 2017.

**D. Land Use and Historic Preservation (Councilman Kranz)**

Councilman Kranz reported for the Board of Health regarding testing children for lead. He also commended the “In Plain Site” seminar held by the Fanwood Police Department.

**E. Recreation and Community Services (Councilwoman Mcelroy-Barker)**

Councilwoman Mcelroy-Barker mentioned the Halloween Parade to be held on October 32, 2017.

**F. Health and Senior Citizens (Councilwoman Mitchell)**

Councilwoman Mitchell reported for the Library, cultural arts and the Senior Citizens

**SPECIAL COMMITTEE REPORTS**

None

**PRESENTATION OF CLAIMS**

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

**BE IT RESOLVED** that claims in the amount of \$2,096,089.91 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:	Huegel, Mitchell, Boris, Kranz, Mcelroy-Barker, Molenaar
AGAINST:	None
ABSENT:	None
ABSTAINED:	None

**AUDITING OF CLAIMS BY RESOLUTION**

None

**PRIVILEGE OF THE FLOOR BY THE PUBLIC FOR AGENDA ITEMS ONLY**

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.

**OLD BUSINESS**

None

**CONSENT AGENDA**

**Resolution 17-10-179**

Boris/Huegel moved to adopt Resolution 17-10-179. Motion carried.

**WHEREAS**, Sheelen’s Crossing has requested permission to utilize Sheelen’s Bridge (encompassing South Avenue to North Avenue), which property is owned by the Borough (“Property”), on Saturday, November 4, 2017, commencing at 4 p.m. and ending at Midnight for the purpose of celebrating its First Anniversary festivities including the sale of food, beer and the playing of Irish music and Irish dancing on the Property;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fanwood that permission is granted to Sheelen’s Crossing to utilize Sheelen’s Bridge to

celebrate its First Anniversary festivities on Saturday, November 4, 2017 commencing at 4 p.m. and ending at Midnight subject to the following conditions:

1. Food may be distributed and/or sold provided Sheelen's Crossing receives the necessary approvals from the Regional Board of Health.
2. Irish music may be played and Irish dance may take place on the Property so long as Sheelen's Crossing does not violate the noise provisions of the State of New Jersey and/or the Borough and Sheelen's Crossing obtains any and all approvals required from the applicable music distributors.
3. Beer and wine may be served on the Property so long as Sheelen's Crossing complies with all requirements of the State and Borough alcoholic beverage laws and obtains from the State the required permit for such a one-day event.
4. A tent may be installed on the Property so long as Flannery's restores the Property to its current condition on or before noon on November 5, 2017.
5. A copy of Sheelen's Crossing general commercial liability policy shall be provided to the Borough on or before November 1, 2017 in the amount of \$2,000,000.00 with the Borough of Fanwood named as an additional insured.
6. Adequate police presence shall be provided by Sheelen's Crossing in a number reasonably determined by the Chief of Police to be required during all times when the general public will be permitted on the Property on November 4, 2017.
7. A fee of \$100 shall be paid to the Borough by Sheelen's Crossing to cover all miscellaneous costs that may be incurred by the Borough.

**BE IT FURTHER RESOLVED THAT** a copy of this Resolution shall be given to Sheelen's Crossing and the Chief of Police of the Borough.

**Resolution 17-10-180**

Boris/Huegel moved to adopt Resolution 17-10-180. Motion carried.

**WHEREAS**, the Borough has police and fire vehicles, and public works equipment that are not being used in the operation of these departments because they are not needed or replaced, and can be auctioned off as per New Jersey State statute 40A:12-13, and

**WHEREAS**, the Borough is desirous of auctioning the following vehicles as well as miscellaneous office supplies and equipment, on October 28, 2017, at the Public Works yard, at 9 am.

Preview to be held at 8:30 am.

**Vehicles:**

- 1998 Crown Victoria, Vin # 2FAFP 71W1W X1259 88
- 1992 Toro Sandpro 5000 (infield groomer) model 08867 Serial #20197
- 1982 Mack CF Series Pumper Fire Truck, Vin# 1M1A111Y3CM002219
- 2001 Dodge Durango, Vin# 1B4HS 28N61 F6447 67

**Bicycles:**

Approximately 30

**Equipment:**

3” Wisconsin gas powered trash pump, Serial #4916472

Stihl 090 AV Chainsaw with 4’, 2 man bar.

Echo srm 2502 weed wacker

Miscellaneous office supplies

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby authorizes the auction of the above vehicles and supplies on October 28, 2017.

**NEW BUSINESS**

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

**Resolution 17-10-176**

Huegel/Molenaar moved to adopt Resolution 17-10-176. Motion carried on the following roll call vote.

**WHEREAS**, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the 2017 year budget: and

**WHEREAS**, there appear to be surplus funds in the following accounts over and above the amount deemed to be necessary to fulfill the purpose of the appropriation for the balance of the 2017 year budget: and

**NOW, THEREFORE BE IT RESOLVED**, the Chief Financial Officer is hereby authorized and directed to make the following transfers:

**FROM:**

Salary Adjustment \$18,141.27

**TO:**

Finance S&W	\$2,825.00	Tax Assessor S&W	\$395.00
Zoning S&W	\$437.00	Plumbing S&W	\$192.00
Fire Enforce S&W	\$390.00	Public Defender S&W	\$162.36
Prosecutor S&W	\$489.00	Sanitation S&W	\$177.84
Bd. Of Health S&W	\$230.00	Recycling S&W	\$232.84
Parks & Rec. S&W	\$333.00	Administration S&W	\$3,465.00
Court S&W	\$1,936.61	Construction S&W	\$750.00
Electrical S&W	\$102.50	Fire Sub-Code S&W	\$62.50
Police S&W	\$880.00	Tax Collector S&W	\$1,311.00
Road Repair S&W	\$3,769.62		

FOR: Huegel, Molenaar, Boris, Kranz, Mcelroy-Barker, Mitchell

AGAINST: None

ABSENT:                    None  
ABSTAINED:                None

**Resolution 17-10-177**

Huegel/Kranz moved to adopt Resolution 17-10-177. Motion carried on the following roll call vote.

**RESOLUTION APPROVING REIMBURSEMENT AGREEMENTS FOR UTILITY  
RELOCATION ON PROPERTIES 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 Act”) 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 pursuant to Ordinance No. 02-11-R on May 20, 2002 and on February 8, 2005 and on December 5, 2008; and

**WHEREAS**, the Borough Council is authorized to act as the Redevelopment Agency to make and enter into all contracts and agreements necessary or incidental to the performance of the duties authorized in the Redevelopment Act; and

**WHEREAS**, funds up to the amount of \$ 25,000.00 are available for said purpose in Account No.        as reflected by the certification of funds by Finance Director shown below;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Fanwood that the Borough Administrator is hereby authorized and directed to execute a Reimbursement Agreements with Rita Mandel and Kenny Chung, said agreement to be in a form approved by the Borough Attorney.

ADOPTED: October 16, 2017

ATTEST:

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Eleanor McGovern, Borough Clerk

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

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

**Resolution 17-10-178**

Molenaar/Huegel moved to adopt Resolution 17-10-178. Motion carried on the following roll call vote.

**WHEREAS,** T & M Associates was awarded the contract for professional services for the design and survey services for the Reconstruction of Madison Avenue, in the amount of \$59,000, through Resolution 15-08-145, and

**WHEREAS,** additional services were incurred when our plans and specifications as submitted to NJDOT (three submissions) required changes; additional meeting with the Madison Avenue residents the result of which required changes to the original design and surveying services; and additional correspondence, meetings and phone calls to NJDOT for approximately two years, and

**WHEREAS,** T & M Associates has submitted a modification change to the original contract awarded on August 17, 2015, in the amount of \$35,000 and requests that the original contract be amended for this amount.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council does hereby authorize the contract increase to the Madison Avenue Reconstruction project in the amount of \$35,000.00.

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

**PRIVILEGE OF THE FLOOR BY THE PUBLIC**

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

Carole Campell, 72 Watson Road, asked everyone to support the Library and vote yes on the referendum on the 2017 November Election ballot.

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

**EXECUTIVE SESSION**

Boris/Kranz moved to move the meeting into executive session to discuss matters relating to

Mayor and Council Regular Meeting    October 16, 2017

litigation, negotiations and the Attorney-Client Privilege. Motion carried.

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

**ADJOURNMENT**

Boris/Kranz moved to adjourn the meeting at 8:35 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern  
Borough Clerk