

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL SPECIAL MEETING
NOVEMBER 6, 2017**

This Special Meeting of the Mayor and Council was held on November 6, 2017 at Borough Hall, 75 North Martine Avenue, Fanwood, NJ at 7:00 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: Kevin Boris, Russell Huegel, Tom Kranz, Erin Mcelroy Barker, Katherine Mitchell, Jack Molenaar
Absent: None
Also, Present: Colleen Mahr, Eleanor McGovern, Diane Dabulas for Daniel McCarthy, Antonios Panagopoulos, Patricia Celardo for Fred Tomkins, Liz Jeffery

Mayor Mahr stated that this meeting was being held to adopt a resolution transferring funds in the 2017 budget and two resolutions relevant to COAH.

NEW BUSINESS

A. ADMINISTRATION AND FINANCE (Councilman Huegel)

Resolution 17-11-181

Huegel/Molenaar moved to adopt Resolution 17-11-181. 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 | \$1,358.00 | Building S&W | \$20,000.00 |
| Finance O&E | \$2,151.00 | Road Repair S&W | \$12,000.00 |

TO:

| | | | |
|---------------------|------------|----------------|-------------|
| Administration O&E | \$5,000.00 | Shade Tree | \$5,000.00 |
| Fire Sub-Code S&W | \$1,534.00 | Sanitation O&E | \$12,000.00 |
| Board of Health S&W | \$300.00 | Legal O&E | \$11,675.00 |

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

ABSTENTION: None

Resolution 17-11-183

Huegel/Kranz moved to adopt Resolution 17-11-183. Motion carried.

**RESOLUTION OF THE BOROUGH OF FANWOOD
APPOINTING MUNICIPAL ADMINISTRATIVE AGENT**

WHEREAS, on June 8, 2015, the Borough of Fanwood (the “Borough”) filed a declaratory judgment action with the New Jersey Superior Court seeking to declare its Housing Element and Fair Share Plan (“HEFSP”) as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period (the “Action”); and

WHEREAS, pursuant to an Order of the Superior Court of New Jersey dated December 21, 2016, as a condition of obtaining a final judgment of compliance and repose, the Borough is required to appoint a Municipal Administrative Agent to administer the affordability controls in the Borough; and

WHEREAS, the Borough Administrator/Clerk, Eleanor McGovern, is qualified to serve as the Borough’s Administrative Agent; and

WHEREAS, the Borough desires to appoint Ms. McGovern to serve as the Borough’s Administrative Agent and the Court’s Special Master, Elizabeth C. McKenzie, AICP, PP, has agreed to recommend that the Borough’s appointment of Ms. McGovern be approved by the Court provided that Ms. McGovern secures and continues to maintain her qualification as an Administrative Agent from the Affordable Housing Professionals of New Jersey (“AHPNJ”).

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fanwood, County of Union, State of New Jersey, that the Borough Administrator/Clerk, Eleanor McGovern, be and hereby is appointed to serve as the Borough’s Affordable Housing Administrative Agent; and

BE IT FURTHER RESOLVED that Ms. McGovern is authorized and directed to complete the courses necessary to secure and maintain her qualification as an Administrative Agent from the AHPNJ; and

BE IT FURTHER RESOLVED that, as the Borough’s Administrative Agent, Ms. McGovern shall administer the following programs: income qualification and affirmative marketing oversight for all newly constructed affordable units and all resales and re-rentals of affordable units, including the re-rental of rehabilitated rental units; the Borough’s down-payment assistance program, energy assistance program and buy-down from low- to very-low income program; and any other affordable housing programs presently in effect or to be adopted by the Borough

Resolution 17-11-182

Huegel/Molenaar moved to adopt Resolution 17-11-182.

After discussion on this resolution

Huegel/Molenaar moved to table Resolution 17-11-182 until the November 20th Council Meeting.
Motion carried.

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

Kranz/Boris moved to adjourn at 8:10 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk