

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL REGULAR MEETING
JULY 16, 2018**

The Regular Meeting of the Mayor and Council was held on July 16, 2018, 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, Alternate Press by January 10, 2018 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: Anthony Carter, Tom Kranz, Katherine Mitchell, Jack Molenaar

Absent: Erin Mcelroy-Barker, Russell Huegel

Also, Present: Eleanor McGovern, Daniel McCarthy, Antonios Panagopoulos

MINUTES

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

Regular Meeting	June 18, 2018
Special Meetings	June 25, 2018
	July 2, 2018
Agenda Meeting	July 2, 2018

APPOINTMENTS AND ANNOUNCEMENTS

Presentation:

Joanna Budries was honored as Volunteer of the Month for her volunteerism as a Recreation Commissioner.

She was present to receive the copy of the Devlin print of the Fanwood Community House.

PRESENTATION OF COMMUNICATIONS AND REFERRAL

Molenaar/Kranz moved to accept the correspondence as submitted

1. County of Union

Re: Resolution encouraging municipalities to adopt “Trap Neuter Return” policies relating to feral cats.

Disposition: Note and File

2. County of Union

Re: Resolution protesting immigration policies initiated by the Trump Administration

Disposition: Note and File

STANDING COMMITTEE REPORTS

A. Administration and Finance (Councilman Kranz)

Kranz/Molenaar moved to accept the Tax Collector’s report for June 2018. Motion carried

B. Public Safety (Councilman Carter)

No report.

C. Public Works (Councilman Molenaar)

Councilman Molenaar reported for the Fire Department and Public Works

D. Land Use and Historic Preservation (Councilman Huegel)

No report.

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

No report.

F. Health and Senior Citizens (Councilwoman Mitchell)

Councilwoman Mitchell reported for the Rescue Squad and stated that there has been no decision on the improvements to the Library.

SPECIAL COMMITTEE REPORTS

Mayor Mahr gave an update on the activities in downtown.

PRESENTATION OF CLAIMS

Kranz/Mitchell moved to adopt the Payment of Claims for July. Motion carried on the following roll call vote.

PAYMENT OF CLAIMS

BE IT RESOLVED that claims in the amount of \$2,034,969.50 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: Kranz, Mitchell, Carter, Molenaar
AGAINST: None
ABSTAIN: None
ABSENT: Huegel, Mcelroy-Barker

AUDITING OF CLAIMS BY RESOLUTION

None

PRIVILEGE OF THE FLOOR BY THE PUBLIC (For Agenda Items Only)

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

No one spoke.

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

OLD BUSINESS

None

CONSENT AGENDA

Resolution 18-07-124

Molenaar/Kranz moved to adopt Resolution 18-07-124. Motion carried.

BE IT RESOLVED by the Borough Council that the Chief Financial Officer is hereby authorized to sign an agreement with Enerchange Power and Gas (EP&G) who will gather and evaluate the Borough's energy supply information for electric and natural gas, without subjecting the Borough to any financial obligations.

Resolution 18-07-125

Molenaar/Kranz moved to adopt Resolution 18-07-125. Motion carried.

**Resolution Authorizing Submission of 2018 Greening
Union County 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 29, 2018; and

WHEREAS, this year's grant round provides matching funds for municipalities to plant trees; and

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

WHEREAS, the Borough of Fanwood seeks to plant ten trees, which will improve the Borough's environment and create natural aesthetic enhancements; and

WHEREAS, the Borough of Fanwood wishes to request \$1,375.00 from the Union County Open Space, Recreation, and Historic Preservation Trust Fund and pledges \$1,375.00 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 18-07-126

Molenaar/Kranz moved to adopt Resolution 18-07-126. Motion carried

**Resolution Authorizing Submission of a Union County
Recycling Enhancement Grant Application**

WHEREAS, the Union County Board of Chosen Freeholders has announced that it is accepting grant applications for its Union County Recycling Enhancement Grant Program; and

WHEREAS, the Borough of Fanwood, Department of Public Works, selects Option A, Recycling at Outdoor Spaces, which will improve the Borough's environment and create areas for waste disposal; and

WHEREAS, the Borough of Fanwood, Department of Public Works, wishes to request \$5,000.00 from Union County for this project.

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

BE IT FURTHER RESOLVED that the Borough Administrator 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 18-07-127

Molenaar/Kranz moved to adopt Resolution 18-07-127. 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 17, 2014, S AMENDED MARCH 21, 2017

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 17, 2014, AS AMENDED March 21, 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2018-2019 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Solutions Grants 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 18-07-128

Molenaar/Kranz moved to adopt Resolution 18-07-128. Motion carried

BE IT RESOLVED by the Borough Council that the Mayor and Clerk are hereby authorized to sign an Agreement with the County of Union for Dispatching Services, for the period January 1, 2014 through August 31, 2019, for a total amount of \$416,323.20.

NEW BUSINESS

A. Administration and Finance (Councilman Kranz)

Resolution 18-07-131

Kranz/Mitchell moved to adopt Resolution 18-07-131. Motion carried on the following roll call vote.

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

WHEREAS, N.J.S.A., 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C § 2000c *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form on the government body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Council *of* the Borough of Fanwood, hereby states that it has complied with N.J.S.A., 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

FOR: Kranz, Mitchell, Carter, Molenaar
AGAINST: None

ABSTAIN: None
ABSENT: Huegel, Mcelroy-Barker

Ordinance 18-10-S

Kranz/Mitchell moved to adopt Ordinance 18-10-S on first reading. Motion carried.

**BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 17-09-S FINALLY ADOPTED BY THE BOROUGH
COUNCIL OF THE BOROUGH OF FANWOOD, NEW JERSEY
ON MAY 1, 2017**

Second reading public hearing will be held on August 6, 2018.

Ordinance 18-11-S

Kranz/Mitchell moved to adopt Ordinance 18-11-S on first reading. Motion carried.

**BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 16-01-S FINALLY ADOPTED BY THE BOROUGH
COUNCIL OF THE BOROUGH OF FANWOOD, NEW JERSEY
ON MARCH 7, 2016**

Second reading public hearing will be held on August 6, 2018.

Ordinance 18-12-S

Kranz/Mitchell moved to adopt Ordinance 18-12-S on first reading. Motion carried.

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF
\$135,000 FOR VARIOUS CAPITAL IMPROVEMENTS FOR AND
BY THE BOROUGH OF FANWOOD IN THE COUNTY OF
UNION, NEW JERSEY AND, AUTHORIZING THE ISSUANCE
OF \$128,250 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF THE APPROPRIATION.**

Second reading public hearing will be held on August 6, 2018.

B. Public Safety (Councilman Carter)

Ordinance 18-13-R

Carter/Molenaar moved to adopt Ordinance 18-13-R on first reading. Motion carried.

**AN ORDINANCE AMENDING CHAPTER 280, VEHICLES AND TRAFFIC, OF
THE CODE OF THE BOROUGH OF FANWOOD, RELATING TO ARTICLE 14
OFF STREET PARKING**

Second reading public hearing will be held on August 6, 2018.

C. Public Works (Councilman Molenaar)

Resolution 18-07-129

Molenaar/Kranz moved to adopt Resolution 18-07-129. 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 pre-design, design, bidding and construction phases for the North Avenue paving project.

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 18-07-129**

CONTRACTOR:	T & M Associates Eleven Tindall Road Middletown, NJ 07748
NATURE OF SERVICE:	To provide engineering pre-design, design, bidding and construction phases for the North Avenue paving project.
DURATION:	Period ending December 31, 2018
AMOUNT:	Not to exceed \$30,350.00

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:	Molenaar/Kranz, Mitchell, Carter
AGAINST:	None
ABSTAIN:	None
ABSENT:	Huegel, Mcelroy-Barker

Resolution 18-07-130

Molenaar/Kranz moved to adopt Resolution 18-07-130. Motion carried on the following roll call vote.

WHEREAS, Community Access Unlimited has request the release of its cash Maintenance Bond, in the amount of \$23,258.94 since the required maintenance period has expired, and

WHEREAS, the Planning Board Escrow Account for Community Access Unlimited is no longer needed the balance should be released.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the maintenance bond in the amount of \$23,258.94 and the balance of the escrow account in the amount of \$1,461.88 be released to Community Access Unlimited.

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

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.

MAYOR AND COUNCIL COMMENTS

Councilwoman Michell commented about recent events at the White House.

Councilman Carter gave the Police Department report.

Councilman Molenaar mentioned that he attended Movie Night at LaGrande Park and enjoyed himself.

Mayor Mahr stated that the Recreation Commission shines in the Borough, Fan Jam was a great success, and congratulated the Volunteer of the Month.

ADJOURNMENT

Mitchell/Kranz moved to adjourn at 7:50 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk