

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL SPECIAL MEETING
AUGUST 6, 2018**

This Special Meeting of the Mayor and Council was held on August 6, 2018 at Fanwood Borough Hall, 75 North Martine Avenue, Fanwood, NJ at 7:05 pm.

Council President Jack Molenaar 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, 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: Russell Huegel, Tom Kranz, Katherine Mitchell, Jack Molenaar, Erin Mcelroy-Barker arrived later

Absent: Anthony Carter, Colleen Mahr

Also Present: Eleanor McGovern, Frederick Tomkins, Daniel McCarthy, Antonios Panagopoulos, Liz Jeffery

Council President Molenaar stated that this meeting was being held to hold public hearings on four ordinances, adoption of three contract awards and a resolution to the Planning Board regarding an area in need of Redevelopment.

OLD BUSINESS

A. Administration and Finance (Councilman Kranz)

Ordinance 18-10-S

Kranz/Mcelroy-Barker moved to open the Public Hearing on Ordinance 18-10-S. Motion carried.

No one spoke.

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

Kranz/Mitchell moved to adopt Ordinance 18-10-S on second reading. Motion carried on the following roll call vote.

ORDINANCE 18-10-S

**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**

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 the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey (the "Borough") entitled "Bond Ordinance Providing An Appropriation Of \$1,335,000 For Various Capital Improvements For And By The Borough Of Fanwood In The County Of Union, New Jersey And, Authorizing The Issuance Of \$1,024,000 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation" finally adopted on May 1, 2017 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. (a) Section 1 of the Ordinance is hereby amended in its entirety as follows:

“The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough as general improvements. For the said Improvements there is hereby appropriated the amount of \$1,335,000, such sum includes the sum of (a) \$197,000 expected to be received from the New Jersey Department of Transportation in connection with the Improvement described in Section 3(a)(5), (b) \$356,637 expected to be received from New Jersey American Water Company and Elizabethtown Gas in connection with the Improvement described in Section 3(a)(5), (c) \$60,000 expected to be received as a Union County Infrastructure Grant in connection with the Improvement described in Section 3(a)(4) and (d) \$54,000 as the down payment (the “Down Payment”) 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”). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.”

(b) Section 3(a)(5) of the Ordinance is hereby amended in its entirety as follows:

“Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
5. Various road improvements, including but not limited to North Avenue and Poplar Place Road, including curbs and sidewalks, including milling and paving, including all work or materials necessary therefor or incidental thereto.	1,260,137	671,075	18.07 years”

(c) The Ordinance is hereby further amended by deleting the reference of \$1,335,000 for the appropriation and estimated cost and substituting in lieu therefor \$1,691,637.

Section 3. 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 resolutions 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 of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the 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 costs of the Improvements is \$1,024,000.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

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

AGAINST: None
 ABSTAIN: None
 ABSENT: Carter

Ordinance 18-11-S

Kranz/Mitchell moved to open the public hearing on Ordinance 18-11-S. Motion carried.

No one spoke.

Huegel/Mcelroy-Barker moved to close the public hearing. Motion carried.

Kranz/Mitchell moved to adopt Ordinance 18-11-S on second reading and public hearing. Motion carried on the following roll call vote.

ORDINANCE 18-11-S

**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**

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 the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey (the “Borough”) entitled “Bond Ordinance Providing An Appropriation Of \$965,000 For Various Capital Improvements For And By The Borough Of Fanwood In The County Of Union, New Jersey And, Authorizing The Issuance Of \$489,250 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation” finally adopted on March 7, 2016 (the “Ordinance”) is hereby incorporated by reference in its entirety.

Section 2. (a) Section 1(b) of the Ordinance is hereby amended in its entirety as follows:

“\$308,285 expected to be received from the New Jersey Department of Transportation (via Federal Government) in connection with the Improvement described in Section 3(a)(1).”

(b) Section 3(a)(1) of the Ordinance is hereby amended in its entirety as follows:

“Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
1. Various road improvements including but not limited to Madison Avenue, including curbs and sidewalks, including milling and paving, including all work or materials necessary therefor or incidental thereto.	\$858,285	\$313,500	20 years”

(c) The Ordinance is hereby further amended by deleting the reference of 965,000 for the appropriation and estimated cost and substituting in lieu therefor \$1,073,285.

Section 3. 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 resolutions 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 of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the 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 costs of the Improvements is \$489,250.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

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

Ordinance 18-12-S

Kranz/Huegel moved to open the public hearing on Ordinance 18-12-S. Motion carried.

No one spoke.

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

Kranz/Mcelroy-Barker moved to adopt Ordinance 18-12-S on second reading and public hearing. Motion carried on the following roll call vote.

ORDINANCE 18-12-S

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.

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 improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough as general improvements. For the said Improvements

there is hereby appropriated the amount of \$135,000, such sum includes the sum of \$6,750 as the down payment (the “Down Payment”) 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”). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by the application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$128,250 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$128,250 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purpose for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
1. Acquisition of computers for the Rescue Squad.	\$15,000	\$14,250	5 Years
2. Acquisition of radios for the Police and Rescue Squad	58,000	55,100	5 Years
3. Road improvements to Stewart Place and Grinder Place, including all work or materials necessary therefor or incidental thereto.	58,000	55,100	20 years
4. Acquisition of desks for the Municipal Court	4,000	3,800	5 years
TOTAL	\$135,000	\$128,250	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$128,250.

(c) The estimated cost of the Improvements is \$135,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

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 5:

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

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties 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.

SECTION 6:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial 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.

(a) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 11.44 years.

(b) 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 \$128,250 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(c) An aggregate amount not exceeding \$65,000 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 received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor 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 Improvements 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:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 1:

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 Improvements 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 costs of the Improvements is \$128,250.

SECTION 9:

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

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

B. Public Safety (Councilman Carter)

Ordinance 18-13-R

Mitchell/Kranz moved to open the public hearing on Ordinance 18-13-R. Motion carried.

No one spoke.

Kranz/Huegel moved to close the public hearing. Motion carried.

Mitchell/Kranz moved to adopt Ordinance 18-13-R on second reading and public hearing. Motion carried on the following roll call vote.

ORDINANCE NO. 18-13-R

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

BE IT ORDAINED by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey, that Chapter 280, Vehicles and Traffic, of the Code of the Borough of Fanwood, County of Union is hereby amended as follows:

Section I. Section 280-14 B (1) Off Street Parking is hereby amended to read as follows:

B. Monthly Permits

(1) In such areas, Fanwood parking lots No.1 and No. 2 stalls clearly marked, shall be available for use between the hours of 5:00 a.m. and 3:00 p.m., excluding Saturdays, Sundays and public holidays, but only to vehicles displaying a valid parking permit, for which a charge shall be made in accordance with the schedule set forth in subsection B(1). Permits shall be sold at the Fanwood Police Department as scheduled by the Department. The permit shall be displayed and visible within the motor vehicle to be parked in the railroad parking lots, as specified in a written notice that will be provided to the permit holder at the time that the permit is issued. All permits sold shall be for the full calendar year. Reimbursement shall be made at Borough Hall for unused months. Permits shall be first offered to Fanwood residents starting on or about October 15 of the preceding year, Scotch Plains residents starting 15 days after they are first offered to Fanwood residents and any non-residents starting 30 days after they are first offered to Fanwood residents. Payment shall be made to the Borough by check or money order only and no cash will be accepted and all monies shall be submitted to the Borough Treasurer. Permits are not transferrable and cannot be duplicated.

Section II. All other provisions of Chapter 280 shall remain in full force and effect.

Section III. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section IV. This ordinance shall take effect immediately upon final passage and publication as required by law.

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

ABSENT: Carter

NEW BUSINESS

A. Public Works (Councilman Molenaar)

Resolution 18-08-132

Molenaar/Kranz moved to adopt Resolution 18-08-132. Motion carried on the following roll call vote.

WHEREAS, the Mayor and Council have a need to acquire services for 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, Neglia Engineering Associates submitted a response to the RFQ issued by the Mayor and Council for Services relating to Construction Management Services/Inspection Services for the Madison Avenue Road Improvements.

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 Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, NJ 07071, be, and hereby is, appointed to perform Construction Management Services/Madison Avenue Road Improvements.

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 17-08-132**

CONTRACTOR:	Neglia Engineering Associates 34 Park Avenue Lyndhurst, NJ 07071
NATURE OF SERVICE:	Engineering Services/Construction Management Services/Madison Avenue Grant
DURATION:	Period ending December 31, 2018
AMOUNT:	Not to exceed \$112,610.00

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

Resolution 18-08-134

Molenaar/ Mitchell moved to adopt Resolution 18-08-134. Motion carried on the following roll call vote.

**BOROUGH OF FANWOOD
RESOLUTION 18-08-134**

WHEREAS, the following bids were received on August 1, 2018 for the reconstruction of Paterson Road, with the following results:

Stilo Construction 2907 South Clinton Avenue South Plainfield, NJ 07080	\$573,437.19
Your Way Construction 404 Colt Street Irvington, NJ 07111	\$602,391.50
Black Rock Enterprises 1316 Englishtown Road Old Bridge, NJ 08857	\$636,010.00
Top Line Construction 22 Fifth Street Somerville, NJ	\$720,483.55

and

WHEREAS, the bid documents were reviewed by the Borough Attorney and Borough Engineer and found to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Stilo be awarded the contract for the reconstruction of Paterson Road in the amount of \$573,437.19.

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

B. Land Use & Historic Preservation

Resolution 18-08-135

Huegel/Mitchell moved to adopt Resolution 18-08-135. Motion carried.

RESOLUTION 18-08-135

RESOLUTION AUTHORIZING THE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE LOTS COMPRISED OF THE OLD SOUTH AVENUE CORRIDOR (BLOCK 55, LOTS 7.01, 8, 9.0101, 9.0102, 10, 11, 11.01, 12 AND BLOCK 57, LOT 1) QUALIFY FOR DESIGNATION AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment;

and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A.* 40A:12A-6, prior to the Borough of Fanwood making a determination as to whether the Study Area qualifies as an area in need of redevelopment, the Borough Council must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the criteria of an area in need of redevelopment set forth in *N.J.S.A.* 40A:12A-5; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain;" and

WHEREAS, the Borough of Fanwood desires to explore whether the properties which comprise the Old South Avenue Corridor include Block 55, Lots 7.01, 8, 9.0101, 9.0102, 10, 11, 11.01, 12 and Block 57, Lot 1, inclusive of any and all streets, and right of ways (the "Study Area") may be an appropriate area for consideration for the program of redevelopment; and

WHEREAS, the Borough Council wishes to direct the Borough Planning Board to undertake such preliminary investigation to determine whether the Study Area meets the criteria for designation as an area in need of Non-Condemnation Redevelopment Area pursuant to *N.J.S.A.* 40A:12A-5 and in accordance with the investigation and hearing process set forth at *N.J.S.A.* 40A:12A-6.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby directs the Borough of Fanwood Planning Board to conduct the necessary investigation, utilizing the services of Phillips Preiss to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, *N.J.S.A.* 40A:12A-1, et seq., as amended, in order to recommend to the Borough Council whether the area comprising the Study Area is an area in need of Non-Condemnation Redevelopment according to the criteria set forth in *N.J.S.A.* 40A:12A-5.

BE IT FURTHER RESOLVED that the redevelopment area determination shall further authorize the municipality to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, excluding the power of eminent domain.

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Borough Council in the form of a Resolution with supportive documentation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Clerk, Chief Financial Officer and Borough Planning Board and Planning Board Secretary.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law .

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

Resolution 18-08-133

McElroy-Barker/Huegel moved to adopt Resolution 18-08-133. Motion carried on the following roll call

vote.

RESOLUTION 18-08-133

WHEREAS, the Mayor and Council have a need to acquire services for 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, **CME Associates** submitted a response to the RFQ issued by the Mayor and Council for the Services relating to Special Engineering and was determined to be a Qualified Respondent for the Services and for performing a Preliminary Assessment of Forest Road Park for the Green Acres Grant, 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 CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859-1162, be, and hereby is, appointed to perform a Preliminary Assessment of Forest Road Park.

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 18-08-133**

CONTRACTOR:	CME Associates 3141 Bordentown Avenue Parlin, NJ 08859-1162
NATURE OF SERVICE:	Engineering Services for a Preliminary Assessment Forest Road Park/Green Acres Grant
DURATION:	Period ending December 31, 2018
AMOUNT:	Not to exceed \$ 6,500.00

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.

PRIVILEGE OF THE FLOOR BY THE PUBLIC

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

Michael Lewis questioned Resolution 18-08-135.

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

ADJOURNMENT

Kranz/Mitchell move to adjourn at 7:15 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk