

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL REGULAR MEETING
OCTOBER 15, 2018**

The Regular Meeting of the Mayor and Council was held on October 15, 2018, at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:10 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 Mahr.

Present: Anthony Carter, Russell Huegel, Tom Kranz, Erin Mcelroy-Barker, Katherine Mitchell

Absent: Jack Molenaar

Also, Present: Mayor Mahr, Eleanor McGovern, Diane Dabulas for Daniel McCarthy

MINUTES

Mitchell/Kranz moved to adopt the following minutes as presented.

Regular Meeting	September 17, 2018
Special Meeting	October 1, 2018
Agenda Meeting	October 1, 2018

APPOINTMENTS AND ANNOUNCEMENTS

Presentation:

Mayor Colleen Mahr presented a Devlin Print of the Community House to Joseph Route as volunteer of the month for his volunteer services to the Fanwood Fire Department

Proclamations:

Mayor Colleen Mahr read the following Proclamation:

**FIRE PREVENTIOIN WEEK
NATIONAL FIRE PREVENTION WEEK
OCTOBER 7 – 13, 2018**

WHEREAS, National Fire Prevention Week was observed this year October 7 through October 13, 2018, and

WHEREAS, this year’s theme is “Look, Listen, Learn. Fire Can Happen Anywhere”, 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 7 through 13, 2018 **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.

John Piccola, Fanwood Fire Chief was present to receive the proclamation.

Mayor Colleen Mahr read the following proclamation.

**NATIONAL FRIENDS OF LIBRARIES WEEK
OCTOBER 21 – 27, 2018**

WHEREAS, this is the 13th anniversary of the National Friends of Libraries Week, and

WHEREAS, Friends of the Fanwood Memorial 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, Friends of the Fanwood Memorial Library are dedicated members who promote, advocate and fundraise for the Fanwood Memorial Library, 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 21-27, 2018, as **FRIENDS OF LIBRARIES WEEK** in Fanwood, New Jersey 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.

Carol Campell, Katherine Balch and two members of the Friends of the Library were present to receive the proclamation.

Mayor Colleen Mahr read the following proclamation:

**FIRST CHILDREN SCHOOL
10TH ANNIVERSARY**

WHEREAS, First Children School in Fanwood is a private school for students with disabilities, serving students in grades PreK through high school and specializing in educating students with multiple disabilities including those who are medically fragile, developmentally, intellectually and/or physically disabled, deaf or hard of hearing, and/or visually impaired, and

WHEREAS, First Children School is staffed with professional, talented and experienced teachers and therapists offering physical, occupational, speech and behavioral therapy services to students by strengthening areas of development where needed, and

WHEREAS, this facility also houses "A Special Place Child Care Center", an inclusive daycare serving children 8 weeks to 6 years old. This program meets the different developmental stages and individual needs of each child. Teaching independence and fostering positive esteem are key elements in the program.

WHEREAS, the Mayor and Council of the Borough of Fanwood are honored to have First Children School as a neighbor in our community; thank the educators for their dedicated service to children in need and their offer of hope to parents; and wish them many more years of success in the future.

NOW, THEREFORE, I, Colleen Mahr, Mayor of the Borough of Fanwood, do hereby proclaim October 15, 2018 **FIRST CHILDREN SCHOOL DAY** in the Borough and thank them for all they do to make this community a great place to live and work.

Kathleen Gorsky and Matthew Hess were present to receive the proclamation.

Mayor Colleen Mahr and Councilwoman Mitchell presented the following proclamation

**CULTURAL ARTS POETRY SERIES
20TH ANNIVERSARY**

WHEREAS, the Carriage House Poetry Series, established in December 1998 by Fanwood Poet Laureate Adele Kenny, is celebrating its 20th Anniversary in 2018, and

WHEREAS, more than 350 distinguished nationally recognized and regional poets have been featured in the Carriage House Poetry Series over the past 20 years held at the Patricia M. Kuran Cultural Arts Center on Watson Road, and

WHEREAS, this highly esteemed poetry series adheres to its goal of creating a venue through which New Jersey poets, and poets from other areas, may bring their talents to the public; where all readings are free of charge; and where members of the audience can share their own poems with the community, and

WHEREAS, the Carriage House Poetry Series has featured poets ranging in age from 10 to 90 years old, and

WHEREAS, the Carriage House Poetry Series has hosted international poetry contests with entries from the United States, Canada, England, Nigeria, India, Italy and France, and

WHEREAS, the Cultural Arts Committee consists of the following members:

	Councilwoman Mitchell, Council Liaison			
Adele Kenny, Director	Tom Plante, Assistant Director			
David Blechinger	Catherine Anderson	Carole Oakes	Alex Pinto	Linda Radice
Robert Rosenbloom	Catherine Watson	Gary Szelc	Jan Siegel	

who are commended for their dedicated interest in enriching the lives of Fanwood residents with cultural programs.

NOW, THEREFORE, the Mayor and Council are happy to have this successful arts program in Fanwood operated by dedicated individuals; happy that they draw renowned poets to Fanwood, and congratulate them on 20 successful years of volunteer service to the Borough.

Adele Kenny and Thomas Plante were present to receive the proclamation.

PRESENTATION OF COMMUNICATIONS AND REFERRAL

Mitchell/Kranz moved to accept the following correspondence as presented. Motion carried.

1. PSE&G
Re: Rate Increase proposed for 4/1/2019
Distribution: Note and File
2. Fanwood Planning Board
Re: Adopted resolution on the area in need of redevelopment/Old South Avenue Corridor
Distribution: Resolution 10/15/2018
3. Fanwood Lions Club
Re: Installation of the Nativity Scene
Distribution: Permission granted
4. Fanwood Lions Club
Re: Use of LaGrande Park Recreation Building for the sale of Christmas Trees
Distribution: Permission granted.

STANDING COMMITTEE REPORTS

A. Administration and Finance (Councilman Kranz)

Kranz/Huegel moved to accept the Tax Collector’s Report for the month of September.
Motion carried.

B. Public Safety Committee (Councilman Carter)

Councilman Carter reported for the Police and Fire Departments.

C. Public Works (Councilman Molenaar)

Councilwoman Mcelroy-Barker reported for Public Works.

D. Land Use and Historic Preservation (Councilman Huegel)

Councilman Huegel reported for the Historic Preservation Commission. Four Centuries in a Weekend will be held on October 20, 2018

E. Recreation and Community Services (Councilwoman Mcelroy Barker)

Councilwoman Mcelroy-Barker reported for the Recreation Commission. The 5K Race will be held on October PRE

F. Health and Welfare (Councilwoman Mitchell)

Councilwoman Mitchell reported for the seniors, Ministerium and the Library.

PRESENTATION OF CLAIMS

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

BE IT RESOLVED that claims in the amount of 2,113,438.06 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, Huegel, Mcelroy-Barker
AGAINST: None
ABSTAINED: None
ABSENT: Molenaar

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 18-10-169

Kranz/Mcelroy-Barker moved to adopt Resolution 18-10-169. Motion carried.

RESOLUTION 18-10-169

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 3, 2018, commencing at 5 p.m. and ending at 10 pm for the purpose of celebrating its Second 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 Second Anniversary festivities on Saturday, November 3, 2018 commencing at 5 p.m. and ending at 10 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. Liquor, 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 4, 2018.
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 3, 2018.
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.

NEW BUSINESS

A. Administration and Finance (Councilman Kranz)

Resolution 18-10-170

Kranz/Mitchell moved to adopt Resolution 18-10-170. Motion carried on the following roll call vote.

RESOLUTION 18-10-170

WHEREAS, the following Capital Improvement Authorization balances remain unexpended:

WHEREAS, it is necessary to formally cancel said balances.

Ordinance	Funded	Unfunded
06-13-S	\$30,039.00	
12-11-S	\$23,834.29	

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fanwood in the County of Union, New Jersey, hereby directs the CFO to write off the above listed unexpended balances of the Capital Improvement authorizations be canceled.

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

B. Public Safety (Councilman Carter)

Resolution 18-10-171

Carter/Mitchell moved to adopt Resolution 18-10-171. Motion carried on the following roll call vote.

RESOLUTION 18-10-171

WHEREAS, Resolution 18-10-165 authorized the installation of a suspension system to the new ambulance to be done by First Priority in the amount of \$2,525, and

WHEREAS, this resolution corrects the cost of the alteration to be \$5,090.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby authorizes the alteration of the ambulance’s suspension system to be done by First Priority in the amount of \$5,090.

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

C. Public Works (Councilman Molenaar)

Resolution 18-20-172

Huegel/Mitchell moved to adopt Resolution 18-10-172. Motion carried on the following roll call vote.

RESOLUTION 18-10-172

WHEREAS, P & A Construction, Inc was awarded the contract for milling and paving of North Avenue, Phase I, on November 20, 2017, through Resolution 17-11-197, and

WHEREAS, since the award of this contract and the decision to improve North Avenue Phase II, between Terrill Road and Martine Avenue, North Avenue Phase I improvement was delayed. During this time the cost of labor, dumping, fuel and asphalt has risen considerably necessitating the Borough

Engineer to submit Change Order No. 1 to cover the cost of the increase, in the amount of \$26,552.50. This increase covers the increased cost on Phase I only.

NOW, THEREFORE BE IT RESOLVED the Borough Council hereby authorize the contract increase to P & A Construction Inc., in the amount of \$26,552.50, through Change Order No. 1.

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

Resolution 18-10-173

Huegel/Mitchell moved to adopt Resolution 18-10-173. Motion carried on the following roll call vote.

RESOLUTION 18-10-173

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 a survey and design for ADA improvements to the Carriage House.

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 18-10-173**

CONTRACTOR: T & M Associates
Eleven Tindall Road
Middletown, NJ 07748

NATURE OF SERVICE: To provide a survey and design for ADA improvements to the Carriage House

DURATION: Period ending March 31, 2018

AMOUNT: Not to exceed \$9,600.00

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

AGAINST: None

ABSTAINED: None

ABSENT: Molenaar

Resolution 18-20-174

Huegel/Mitchell moved to adopt Resolution 18-10-174. Motion carried on the following roll call vote.

RESOLUTION 18-10-174

WHEREAS, the trash enclosure in the Downtown Parking Lot needs to be cleaned by power washing with the wastewater taken away from the site and disposed of according to State statute, and

WHEREAS, Fleetwash submitted a proposal for this work in the amount of \$995.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Fleetwash be awarded the contact to clean the trash enclosure in the amount of \$995.00 and dispose of the wastewater according to State regulations.

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

AGAINST: None

ABSTAINED: None

ABSENT: Molenaar

Resolution 18-20-175

Huegel/Mitchell moved to adopt Resolution 18-10-175. Motion carried on the following roll call vote.

RESOLUTION 18-10-175

WHEREAS, Resolution 18-08-145 authorized the award of contract to Black Rock Enterprises for the reconstruction of Madison Avenue on August 20, 2108, in the amount of \$558,226.59, which included the improvements to house connections to the drainage system, and

WHEREAS, after opening the street, additional connections that were not anticipated in the original design need to be improved to collect the stormwater and discharge it to the existing drainage system, and

WHEREAS, Neglia Engineering has initiated a Change Order to this contract to add the additional connections into the existing drainage system, for an additional charge of \$25,425.00, to the Black Rock Enterprises' contract.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby authorizes the contract increase to Black Rock Enterprises, in the amount of \$25,425.00, through Change Order No. 1.

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

Resolution 18-20-178

Huegel/Mitchell moved to adopt Resolution 18-10-178. Motion carried on the following roll call vote.

RESOLUTION 18-10-178

WHEREAS, the Director of Public Works solicited four quotes from contractors to dispose of leaves, which includes loading, tucking and disposal at a certified licensed NJ Recycling Facility, receiving the following quotes:

Warren County Trucking, Andover, NJ	Non-Responsive
Messercola Excavating Inc., Plainfield, NJ	\$3.23 per cubic yard
S. Rotundi & Sons, Inc., Summit, NJ	Non-Responsive
Nature’s Choice Inc, Jersey City, NJ.	Non-Responsive
Reliable Wood Products, Jersey City, NJ	Non-Responsive

WHEREAS, the Public Works Department recommends awarding the 2018 leaf transport/trucking contract to Messercola Excavating Inc. for a unit price of \$3.23 per cubic yard for a total cost of \$19,380.00 (based on an estimate of 6,000 cubic yards of leaf pickup for 2018).

NOW, THEREFORE, BE IT RESOLVED by the Council that Messercola Excavating Inc., be awarded the contract to dispose of the leaves in Fanwood, not to exceed \$19,380.00.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Messercola Excavating Inc. and the Director of Public Works.

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

Land Use and Historic Preservation (Councilman Huegel)

Resolution 18-10-176

Huegel/Mitchell moved to adopt Resolution 18-10-176. Motion carried on the following roll call vote.

RESOLUTION 18-10-176

WHEREAS, the Mayor and Council have a need to acquire architectural 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, Settembrino Architects, 25 Bridge Avenue, Red Bank, NJ 07701 submitted a response to the RFP issued by the Mayor and Council for the Services relating to Architectural Services and was determined to be a Qualified Respondent, 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 Settembrino Architects, be, and hereby is, appointed to provide architectural services to repurpose the Recycling Center.

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 18-10-176**

CONTRACTOR:	Settembrino Architects 25 Bridge Avenue Red Bank, NJ 07701
NATURE OF SERVICE:	For architectural services to repurpose the Recycling Center
DURATION:	Period ending September 30, 2019
AMOUNT:	Not to exceed \$17,500.00
FOR:	Huegel, Mitchell, Carter, Kranz, Mcelroy-Barker
AGAINST:	None
ABSTAINED:	None
ABSENT:	Molenaar

Resolution 18-10-177
Huegel/Mitchell moved to adopt Resolution 18-10-177. Motion carried on the following roll call vote.

RESOLUTION 18-10-177

RESOLUTION DESIGNATING THE AREA KNOWN AND DESIGNATED AS 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, AS SHOWN ON THE OFFICIAL TAX MAP OF

THE BOROUGH OF FANWOOD, COMMONLY KNOWN AS OLD SOUTH AVENUE CORRIDOR, AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of redevelopment; and

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

WHEREAS, by Resolution No. 18-08-135, pursuant to N.J.S.A. 40A:12A-6, the Borough of Fanwood authorized the Planning Board, to undertake a preliminary investigation to determine whether the area in the Borough of Fanwood, known and designated as 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, as shown on the official Tax Map of the Borough of Fanwood, commonly known as Old South Avenue Corridor (“Study Area”), meets the criteria of an area in need of redevelopment set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Council had determined that the use of eminent domain is not to be authorized by the Borough of Fanwood and that the delineated area shall be deemed a non-condemnation redevelopment area in accordance with Redevelopment Law;

WHEREAS, by Resolution dated August 6, 2018, the Planning Board authorized Phillip Preiss to review the designated criteria and prepare a report to the Planning Board as to whether the Study Area is an area in need of redevelopment as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the said planner had submitted to the Planner Board a report entitled "Old South Avenue Area In Need of Redevelopment Study, Borough of Fanwood, New Jersey" prepared by Phillips Preiss Grygiel Leheny Hughes LLC, dated August 2018; and

WHEREAS, the Planning Board of the Borough of Fanwood, after having considered the aforementioned report and having held a public hearing, found that the subject property, Old South Avenue Corridor, in the Borough of Fanwood, County of Union and State of New Jersey, known and designated as 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, as shown on the official Tax Map of the Borough of Fanwood, meets the criteria set forth in N.J.S.A. 40A:12A-5(c) and (e) for redevelopment designation and recommended to the Mayor and Council that the delineated area be designated as an area in need of redevelopment, as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the Borough of Fanwood, considered the Planning Board’s recommendation and Resolution recommending that the Study Area be designated as a non-condemnation redevelopment area, at its regularly scheduled public meeting on October 15, 2018, wherein members of the general public were given an opportunity to be heard and to address questions concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, the Borough accepted the recommendation of the Planning Board to declare the Study Area as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood, after having considered the aforementioned report and having held a public hearing, finds that the subject property, Old South Avenue Corridor, in the Borough of Fanwood, County of Union and State of New Jersey, known and designated as 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 as shown on the official Tax Map of the Borough of Fanwood meets the criteria set forth in N.J.S.A. 40A:12A-5(c) and (e) for redevelopment designation and that the delineated area be and hereby is designated as an area in need of redevelopment, as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq., to be known as Old South Avenue Redevelopment Area; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to provide a copy of this resolution to the Commissioner of Community Affairs; and

BE IT FURTHER RESOLVED, that the designation of the Study Area as a Non-Condensation Redevelopment Area shall not authorize the Borough to exercise the power of eminent domain to acquire any property in the Study Area; and

BE IT FURTHER RESOLVED, that the Borough hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

BE IT FURTHER RESOLVED, that the Clerk of the Borough of Fanwood shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and

BE IT FURTHER RESOLVED, that within ten (10) days of the Borough's adoption of the within Resolution, the Clerk of the Borough of Fanwood shall serve notice of the Borough's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

Borough Engineer, Antonios Panagopoulos, gave an engineering report for the month of September.

Councilwoman Mcelroy-Barker stated that there was a student rally scheduled for October 16, 2018, at the Scotch Plains Fanwood High School to discuss the graffiti incident.

PRIVILEGE OF THE FLOOR BY THE PUBLIC

Mitchell/Kranz moved to open the meeting to the public. Motion carried.
No one spoke.

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

Council Comments on the recent graffiti incident at the High School

Councilwoman Mcelroy-Barker stated that there was a student rally scheduled for October 16, 2018, at the Scotch Plains Fanwood High School to discuss the graffiti incident and she encourages Fanwood residents to attend in support of the students. She also stated that there have been hateful statements on Facebook and in Scotch Plains Fanwood. This is not who we are. We must recognize that racism exists in every community and we must address the problem with our children.

Councilman Carter announced that there is a \$1000 reward available for information leading to an arrest or indictment of individuals responsible for the crime. He has been in the community for 20 years and has been part of breaking down negative agendas replacing them with positive agendas. Racism does exist in Fanwood. People are fearful of repercussions if they speak out. We have to work together. Mayor Colleen Mahr is diligent as Mayor in caring for our community and will use all her resources to help others if she can.

As Police Commissioner I cannot speak on all issues but to say that this incident is under investigation with the Prosecutor's and Attorney General's offices using their resources to find out who was involved.

Councilman Kranz Facebook and social media brings out the worst instincts in us but we do not have to say or act on them. As a small town we have to act together – be nice to one another because we can.

Councilwoman Mitchell I spoke already in my report and I have been exposed to different cultures over the years, we are hosting the homeless in my church this month. I'm ashamed that there are people in our community are so hateful and hurtful. We have a lot to do.

ADJOURNMENT

Mcelroy-Barker/Kranz moved to adjourn at 8:35 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk