

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL REGULAR MEETING
NOVEMBER 19, 2018**

The Regular Meeting of the Mayor and Council was held on November 19, 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 Mahr.

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

Absent: Katherine Mitchell, Jack Molenaar

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

MINUTES

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

Regular Meeting	October 15, 2018
Special Meeting	November 5, 2018
Agenda Meeting	November 5, 2018

APPOINTMENTS AND ANNOUNCEMENTS

Presentation:

Mayor Colleen Mahr presented a Devlin Print of the Community House to Oshanda Erb as Volunteer of the Month for her participation in the veteran banner program.

Resolution:

Huegel/Kranz moved to approve the following resolution that was read at the Veterans Service on November 11, 2018. Motion carried.

**VETERANS DAY
NOVEMBER 11, 2018
CENTENNIAL ANNIVERSARY**

WHEREAS, after years of bitter war, Allied powers signed a cease fire agreement bringing World War I, “The War to end all Wars”, to a close on November 11, 1918, one hundred years ago, and

WHEREAS, we gather together today to convey Fanwood’s gratitude to all American veterans who risked their lives for the land, the people, and the ideals they loved, and

WHEREAS, it is proper that we recognize not only the sacrifices made by the veterans whose lives were interrupted by a call to military service, but the sacrifices of the families who were left behind to cope with the absence of loved ones, and

WHEREAS, as President Kennedy once said, “As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.” and

WHEREAS, we will not forget those who died in service to our country, and

WHEREAS, we are here to celebrate the strength, courage and dedication of our veterans who shape the world for lasting peace.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fanwood publicly recognize the veterans who selflessly protected this country; encourage the citizens of Fanwood to remember our Veterans on Veterans Day and every day of the year; to offer thanks to our heroes, both living and dead, who sacrificed themselves for us; offer gratitude to those servicemen and servicewomen serving our country at this time; and may God Bless America and the veterans who keep her free.

PRESENTATION OF COMMUNICATIONS AND REFERRAL

None

STANDING COMMITTEE REPORTS

A. Administration and Finance (Councilman Kranz)

Kranz/Mcelroy-Barker moved to adopt the Tax Collector’s Report for October 2018.

Motion carried. Councilman Kranz gave an overview of the sewer utility bill that was mailed this week that was based on assessed property value and will be dedicated to repairs of the Fanwood sanitary sewers and treatment of Fanwood’s sewerage.

B. Public Safety (Councilman Carter)

Councilman Carter reported for the Police, Fire and Rescue Squad.

Huegel/Kranz moved to change the order of the meeting. Motion carried.

MEETING OPEN TO THE PUBLIC (Agenda items only)

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

Harry McNally, 44 Second Street, questioned the Sewer Utility bill he just received. A discussion ensued between the Mayor and Council and Mr. McNally.

Ron Howarth, 19 Oakwood Court, questioned the future of the Sewer Utility and future rates. The Mayor and Council addressed his concerns.

Mcelroy-Barker/Kranz moved to close the meeting to the public.

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

C. Public Works (Councilman Molenaar)

Councilman Huegel reported for Public Works.

D. Land Use and Historic Preservation (Councilman Huegel)

Councilman Huegel reported for the Historic Preservation Commission.

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

Councilwoman Mcelroy-Barker reported for the Recreation Commission.

F. Health and Senior Citizens (Councilwoman Mitchell)

No report.

SPECIAL COMMITTEE REPORTS

None.

PRESENTATION OF CLAIMS

Kranz/Huegel moved to adopt the Payment of Claims for November 2018. Motion carried.

AUDITING OF CLAIMS BY RESOLUTION

None.

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

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

No one spoke.

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

OLD BUSINESS

None.

CONSENT AGENDA

Resolution 18-11-184

Kranz/Huegel moved to adopt Resolution 18-11-184. Motion carried.

RESOLUTION 18-11-184

BE IT RESOLVED by the Mayor and Council that the following project applications be submitted to the Community Development Block Grant Program for Year 45 (September 1, 2019 to August 31, 2020):

1. Senior Citizen Bus Transportation
2. Senior Citizen Handyman Program

Resolution 18-11-185

Kranz/Huegel moved to adopt Resolution 18-11-185. Motion carried.

RESOLUTION 18-11-185

WHEREAS, the Borough of Fanwood deemed it in its best interest to enter into an Agreement for the installation of an illuminated pedestrian warning sign at the intersection of Midway Avenue and Willow Avenue (the "Agreement") and advised that concurrence from Union County is appropriate as Midway Avenue is a County Road; and

WHEREAS, the County conducted a Safety Assessment Midway Avenue at Willow Avenue, Fanwood, New Jersey, dated May 4, 2018; and

WHEREAS, the Borough Engineering Department has discussed with the County of Union, Department of Engineering the concept design for a pedestrian crossing signal at the intersection of Midway Avenue and Willow Avenue; and

WHEREAS, as a result of a safety assessment and in discharge of their public duties pursuant to N.J.S.A. 39:4-120.1, the Parties agreed that the County will install an Illuminated Pedestrian Warning Sign; and

WHEREAS, the Parties also agreed that the Illuminated Pedestrian Warning Sign would increase safety in the neighborhood; and

WHEREAS, the Borough will be responsible for the ownership, operation and maintenance of the Illuminated Pedestrian Warning Sign;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough Council that they support and request the installation of a solar powered pedestrian crossing signal at the intersection of Midway Avenue and Willow Avenue.

BE IT FURTHER RESOLVED, the Mayor and Clerk, or duly appointed representative, are hereby authorized to sign an Agreement Between The County Of Union And The Borough Of Fanwood For The Installation Of An Illuminated Pedestrian Warning Sign At The Intersection Of Midway Avenue And Willow Avenue for crosswalk signage.

Resolution 18-11-186

Kranz/Huegel moved to adopt Resolution 18-11-186. Motion carried.

RESOLUTION 18-11-186

WHEREAS, Resolution 16-10-155, adopted on by the Borough Council on October 17, 2016 authorized a shared services agreement with the Township of Union for a Qualified Purchasing Agent (QPA), and

WHEREAS, the Borough has been notified by the State of New Jersey, Department of the Treasury, Contract Compliance and Audit Unit, that the resolution authorizing the agreement with the Township of Union needs to contain the actual name of the QPA.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council the Qualified Purchasing Agent for the Township of Union, Maria Melegh, Certification Number Q-1673, is to act as the QPA for the Borough of Fanwood, for three years commencing November 1, 2016 and terminating October 31, 2019.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Township of Union.

NEW BUSINESS

A. Administration and Finance (Councilman Huegel)

Resolution 18-11-187

Kranz/Huegel moved to adopt Resolution 18-11-187. Motion carried on the following roll call vote.

RESOLUTION 18-11-187

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION**

NJS 40A:4-87

(With Matching funds for grants)

WHEREAS, NJS 40a:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fanwood, in the county of Union, New Jersey, hereby requests revenue in the budget of the year 2018 in the sum of **\$1,375.00**, which is now available as a revenue from **Union County, Greening Union County Grant Program Grant**, pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the sum of \$1,375.00 is hereby appropriated under the caption **2018 Greening Union County Grant**; and

BE IT FURTHER RESOLVED that the sum of **\$1,375.00** representing the amount required for the municipality's share of the aforementioned undertaking or improvement appears in the budget of the year **2018** under the caption **Matching Funds for Grants** and is hereby appropriated under the caption of **Matching Funds for Grants**; and

BE IT FURTHER RESOLVED that the above is a result of a County grant of \$1,375.00 from Union County, Greening Union County Grant Program.

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

Resolution 18-11-188

Huegel/Kranz moved to table resolution to correct the name of the grant. Motion carried.

Resolution 18-11-189

Kranz/Huegel moved to adopt Resolution 18-11-189. Motion carried on the following roll call vote.

RESOLUTION 18-11-189

BE IT RESOLVED the Borough Council hereby authorizes the Mayor to sign an agreement with the State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry for

a \$9,600.00 NJUCF Stewardship-Reforestation and Tree Planting Grant, Identifier #FS19-015, for the period 8/03/2018 until 8/03/2021.

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

C. Public Works (Councilman Molenaar)

Huegel/Kranz moved to adopt Resolution 18-11-190. Motion carried on the following roll call vote.

RESOLUTION 18-11-190

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, and bidding and phases for the Roadway Improvements to Ginder Place and Stewart Place.

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 18-11-190**

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 for Roadway Improvements to Stewart Place and Ginder Place.

DURATION: Period ending October 31, 2019

AMOUNT: Not to exceed \$58,000.00

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

Resolution 18-11-191

Huegel/Kranz moved to adopt Resolution 18-11-191. Motion carried on the following roll call vote.

RESOLUTION 18-11-191

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, four 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; installation of pervious concrete sidewalk, 4" thick and the reconstruction of water blow off manhole which is required to carry out the roadway reconstruction to accommodate the new roadway elevations, and

WHEREAS, Neglia Engineering has initiated Change Order No. 2 to this contract to accommodate the improvements, for an additional cost of \$12,730.00 to Black Rock Enterprises' contract.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby authorizes the contract increase to Black Rock Enterprises' contract, in the amount of \$12,300.00, through Change Order No. 2.

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

Ordinance 18-19-R

Huegel/Kranz moved to adopt Ordinance 18-19-R on first reading. Motion carried. Second Reading Public Hearing will be held on December 3, 2018.

AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION, AND STATE OF NEW JERSEY, AMENDING CHAPTER 184, LAND USE, ARTICLE XII ZONE DISTRICT REGULATIONS, SECTION 119, OF THE FANWOOD BOROUGH CODE REGARDING COMMERCIAL CORRIDOR (CC) DISTRICT.

PRIVILEGE OF THE FLOOR BY THE PUBLIC

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

No one spoke.

Kranz/Mcelroy-Barker moved to close the meeting to the public. Motion carried.

MAYOR AND COUNCIL COMMENTS

Councilman Kranz wished all a Happy Thanksgiving.

Councilman Huegel congratulated Erin Mcelroy-Barker and Patricia Walsh on their election to Council.

Councilman Carter wished all Happy Holidays.

Councilwoman Mcelroy-Barker thanked the Fanwood voters for giving her another three years.

Mayor Mahr mentioned that Saturday is small business day in the Borough and asked all watching to join her and shop locally.

ADJOURNMENT

Kranz/Huegel moved to adjourn at 8:20 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk