



**Mayor and Council Regular Meeting    December 16, 2019**

**WHEREAS, TOM KRANZ** a Journalist, Author, and a volunteer Rescue Squad Member for many years was instrumental in establishing the Fanwood Scotch Plains Radio Station and shared his expertise in information technology with the Borough staff and residents of Fanwood, and

**WHEREAS,** as a Council Member **TOM KRANZ** participated in the decisions related to improvements to the parks, Borough buildings, South Avenue improvements; road reconstruction at various locations; the completion of the downtown redevelopment area; the Borough's Fair Share Housing Plan; the revaluation of homes; tax map revisions, curbside recycling pick up program, purchase of a new ambulance, construction of a skate board park at Forest Road Park and new tennis courts at LaGrande Park; moratorium of street openings on newly paved streets; the creation of the Sewer Utility; the establishment of the Complete Streets policy and the sale of "the Caboose", and

**WHEREAS, TOM KRANZ** will be missed by the employees and Council members for his "tell it like it is" mantra to describe the facts of a situation, and for his hard work and achievements.

**NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council of the Borough of Fanwood recognize the accomplishments made by **TOM KRANZ** and appreciate the service he rendered to his community; spread this message across the minutes of this meeting so all who follow come to understand that government is measured by the dedication and sincerity of the people who serve their communities as has been done by **TOM KRANZ** and thank his wife, Marianne for sharing his time with the residents of Fanwood.

Mayor Mahr presented Council Member Tom Kranz with the Borough Seal and read a Resolution in his honor for his service (six years) to the residents of Fanwood.

**RUSSELL HUEGEL  
COUNCILMAN**

**WHEREAS, RUSSELL HUEGEL** retired from the Borough Council on December 31, 2018, after serving ten consecutive years in service to the residents of Fanwood, 2009 – 2018, and

**WHEREAS,** during these years **RUSSELL HUEGEL** was Chair of the Public Works, Administration and Finance and Land Use and Historic Preservation Committees and was also a member of the Public Safety, Administration and Finance and Recreation and Community Services Committees as well as Council President, and

**WHEREAS,** as a Council Member **RUSSELL HUEGEL** participated in the decisions related to improvements to the parks, Borough buildings, South Avenue, road reconstruction at various locations and the completion of the downtown redevelopment area; the Borough's Fair Share Housing Plan; revaluation of homes; tax map revisions, curbside recycling pick up program, police dispatching shared service; purchase of a new ambulance, construction of a skate board park and new tennis courts; moratorium of street openings on newly paved streets; establishment of Complete Streets Policy; Hurricane Sandy who visited the Borough in October 2012 and the sale of "the Caboose", and

**WHEREAS, RUSSELL HUEGEL** performed all duties of Council Member effectively, honorably, with high ethical standards.

**NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council of the Borough of Fanwood record their deep appreciation for the service rendered to this Community by **RUSSELL HUEGEL**, recognize his accomplishments, spread this message across the minutes of this meeting so that all who follow will know his dedication and commitment to the residents of Fanwood; and convey their warmest wishes for a successful future shared with his wife, Jennifer, and children Jocelyn and Meg who graciously shared him with the residents of Fanwood.

**Presentations:**

Patricia Nering, Volunteer of the Month, was presented with a print of the Community House by Harry Devlin, for the establishment of “Heart for Humanity”.

**Proclamation:**

A proclamation for Walter Doer, celebrating his 103 Birthday, was read into the minutes of this meeting.

**WALTER DOER  
103<sup>RD</sup> BIRTHDAY**

**WHEREAS, WALTER DOER**, born on December 3, 1916, is celebrating his 103<sup>rd</sup> birthday this year, and

**WHEREAS**, Walter and his wife, Lorraine raised their daughter, Diane in New Jersey and worked as a tool and dye maker for over forty years, and

**WHEREAS, WALTER** is also gifted in building rare clocks and watches, and

**WHEREAS, WALTER** an enthusiastic cyclist won many awards in many age categories cycling into his nineties as a member of the North Jersey Wheelmen Bicycle Club, and we welcome him into the Fanwood Community, and

**WHEREAS**, we celebrate **WALTER’S** invincible spirit and keen interest in protecting his health as reflected in his life hobbies, and

**WHEREAS**, since there is no one like **WALTER**, we treasure his uniqueness with the hope that for every candle on his cake he receives wonderful surprises throughout the year.

**NOW, THEREFORE**, I, Colleen Mahr, Mayor of the Borough of Fanwood, do hereby proclaim December 3, 2019, **WALTER DOER DAY**, in the Borough and along with the Borough Council wish that this celebration is the best of birthdays, the best one ever, for this remarkable man, **WALTER DOER**.

**HAPPY BIRTHDAY WALTER!**

**PRESENTATION OF COMMUNICATIONS AND REFERRAL**

Mitchell/Banks moved to accept the correspondence as presented. Motion Carried.

1. Elizabethtown Gas  
RE: Rate Increase

**Mayor and Council Regular Meeting    December 16, 2019**

Disposition: Note and file.

**STANDING COMMITTEE REPORTS**

A. Administration and Finance (Councilman Kranz)

Kranz/Mitchell moved to accept the Tax Collector's Report for November. Motion carried.

B. Public Safety (Councilman Carter)

Councilman Carter reported for the Police Department.

C. Public Works (Councilwoman Mitchell)

Councilwoman Mitchell reported for Public Works and the PMUA.

D. Land Use and Historic Preservation (Councilman Banks)

Councilman Banks had no report.

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

Councilwoman Mcelroy-Barker reported for the Recreation Commission; that there were three vacancies on the Recreation Commission and she also reported social justice matters.

F. Health and Senior Citizens (Councilwoman Walsh)

Councilwoman Walsh reported for the Fire Department and the Board of Health.

**SPECIAL COMMITTEE REPORTS**

Mayor Mahr stated that one-seat-ride is a possibility now for Fanwood.

Antonios Panagopoulos gave his report on engineering matters.

Liz Jeffery gave a report on the downtown.

**PRESENTATION OF CLAIMS**

Kranz/Mitchell moved to adopt the payment of claims. Motion carried with the following roll call vote.

**PAYMENT CLAIMS**

**BE IT RESOLVED** that claims in the amount of. \$2,315,180.20 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.

**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**

**A. Administration and Finance (Council President Kranz)**

**Ordinance 19-17-R**

Kranz/Mitchell moved to open the public hearing on Ordinance 19-17-R. Motion carried.

No one Spoke.

Mitchell/Banks moved to close the Public Hearing. Motion carried.

Kranz/Mitchell moved to adopt Ordinance 19-17-R on second reading and public hearing. Motion carried on the following roll call vote.

**ORDINANCE NO. 19-17-R**

**AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION, AND STATE OF NEW JERSEY, AMENDING ORDINANCE 18-06-r, CHAPTER 242, SANITARY SEWERS, ARTICLE I, SECTION 242-2, SEWER CONNECTION FEE**

**WHEREAS**, the Borough of Fanwood Code (“the Code”) section 242-1 requires that structures be connected to the municipal sewer system; permits vehicles to park in certain locations throughout the Borough;

**WHEREAS**, the Code pursuant to section 242-2 sets the connection fee to the municipal sewer system;

**BE IT ORDAINED** by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey as follows:

Section 242-2 is hereby amended as follows:

Any person desiring to connect to the sewer system of the Borough for the purpose of using sewer service shall first pay to the Borough the sum of \$1,500.00 for each unit located in the building which is to be connected. For example, a single-family house connection shall be \$1,500.00. A multi family dwelling shall be \$1,500.00 times the total number of units in the building or buildings making up the property. In the case of nonresidential connections, the person desiring to connect shall pay \$1,500.00 for each 2,500 square feet, or fraction thereof, of the building or buildings in question. Such connection charge shall apply in all instances, including connections made by a developer or builder who installs the sewer mains as provided elsewhere in the Fanwood Borough Code.

**BE IT FURTHER ORDAINED** this section of 242-2 shall take effect as provided by law.

FOR:            Kranz, Mitchell, Banks, Carter, Mcelroy-Barker, Walsh  
AGAINST:    None  
ABSTAIN:     None  
ABSENT:      None

**Ordinance 19-18-S**

Kranz/Mitchell moved to open the public hearing on Ordinance 19-18-S. Motion carried.

No one spoke.

Mcelroy-Barker/Kranz moved to close the public hearing. Motion carried.  
Kranz/Mitchell moved to adopt Ordinance 19-18-S after the second reading and public hearing. Motion carried on the following roll call vote.

**ORDINANCE 19-18-S**

**BOND ORDINANCE RESTATING BOND ORDINANCE NO. 19-01-S TO PROVIDE AN APPROPRIATION OF \$1,492,000 FOR VARIOUS CAPITAL IMPROVEMENTS FOR AND BY THE BOROUGH OF FANWOOD IN THE COUNTY OF UNION, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$1,036,000 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 ONE:

The Borough Council of the Borough of Fanwood has ascertained and determined to restate Bond Ordinance 19-01-S, and accordingly Bond Ordinance 19-01-S is restated 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 \$1,492,000, such sum includes the sum of (a) \$400,000 expected to be received from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(1) and (b) \$56,000 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.

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 \$1,036,000 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 \$1,036,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

**Mayor and Council Regular Meeting    December 16, 2019**

(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. Road improvements to Stewart Place and Ginder Place, including curbing and drainage, and including all work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the Office of the Clerk.	\$542,000	\$134,000	20 years
2. Improvements to Paterson Road, Phase II, including curbing and drainage, and including all work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the Office of the Clerk.	750,000	712,000	20 years
3. Curb and sidewalks improvements to Martine Avenue, including milling and paving and including all work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereon on file in the Office of the Clerk.	200,000	190,000	10 years
<b>TOTAL</b>	<b>\$1,492,000</b>	<b>\$1,036,000</b>	

(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 \$1,036,000.

(c) The estimated cost of the Improvements is \$1,492,000 which amount represents the initial appropriation made by the Borough.

**SECTION 4:**

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

**Mayor and Council Regular Meeting    December 16, 2019**

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.

**SECTION 5:**

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 6:**

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.

(b) 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 18.66 years.

(c) 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 \$1,036,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 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

**Mayor and Council Regular Meeting    December 16, 2019**

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 10:

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 \$1,036,000.

SECTION 11:

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

SECTION TWO:

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

**Ordinance 19-19-R**

Kranz/Mitchell moved to open the public hearing on Ordinance 19-19-R. Motion carried.

No one spoke.

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

Kranz/Mitchell moved to adopt Ordinance 19-18-S on second reading and public hearing. Motion carried on the following roll call vote.

**ORDINANCE NO. 19-19-R**

**AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION,  
AND STATE OF NEW JERSEY, ESTABLISHING PARKING STALLS FOR  
PLUG IN ELECTRIC VEHICLES**

**WHEREAS**, the Borough of Fanwood (“the Borough”), wishes to encourage vehicles that utilize alternative forms of energy as part of its strategy to become a New Jersey Sustainable Community; and

**WHEREAS**, the Borough in Section 280-14 provides for parking in certain off-street parking zones within the Borough; and

**WHEREAS**, the Borough desires to designate parking stalls for plug in electric vehicles (“PEVs”) that are used within the Borough; and

**BE IT ORDAINED** by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey as follows:

Section 280-14 is hereby amended to include the following subsection:

(4) Within Municipal Parking Lots 1&2 there shall be two (2) designated parking stalls as electric charging stations for plug in electric vehicles that shall be clearly designated and marked for such purpose. Vehicles occupying these specially marked stalls for a purpose other than the designated purpose of charging shall be in violation of this section and subject to the penalties set forth in this chapter. The time requirements and days set forth in Section 280-50 Schedule V shall not apply to this subsection.

**BE IT FURTHER ORDAINED** this section of 280-14 shall take effect as provided by law.

**CONSENT AGENDA**

**Resolution 19-12-188**

Kranz/Mitchell moved to adopt Resolution 19-12-188. Motion carried.

**RESOLUTION 19-12-188**

**WHEREAS**, the Fanwood Lions Club has requested the use of LaGrande Park for its annual Christmas Tree sale, as well as, placing a Nativity Scene on Borough Property located on North Avenue.

**Mayor and Council Regular Meeting    December 16, 2019**

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby permits the Lions Club to use LaGrande Park for the sale of Christmas Trees.

**BE IT FURTHER RESOLVED** the Borough Council permits the placing of a Nativity Scene on North Avenue since it is the policy of the Borough that all religious organizations are welcome to do the same in that area.

**Resolution 19-12-189**

Kranz/Mitchell moved to adopt Resolution 19-12-189. Motion carried.

**RESOLUTION 19-12-189**

**Governor’s Council on Alcoholism and Drug Abuse  
Fiscal grant Cycle July 2020-June 2025  
FORM 1B**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, The Fanwood Council of the Borough of Fanwood, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Fanwood Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Fanwood Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Fanwood, County of Union, State of New Jersey hereby recognizes the following:

1. Fanwood Council does hereby authorize submission of a strategic plan for the Scotch Plains-Fanwood Municipal Alliance Grant for fiscal year July 1, 2020 through June 30, 2021 in the amount of:

DEDR	\$ 35,594
Cash Match	\$ 8,898.50
In-Kind	\$26,695.50

2. The Fanwood Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

Approved \_\_\_\_\_  
Colleen Mahr, Mayor

**Resolution 19-12-190**

Kranz/Mitchell moved to adopt Resolution 19-12-190. Motion carried.

**RESOLUTION 19-12-190**

**WHEREAS**, the appointment of Tyler Flowers to the Fanwood Police Department on August 8, 2019, through Resolution 19-08-143, stated his title as ‘Probationary A Police Officer’, a title not eligible under the Police and Fire Retirement System (PFRS) of the State of New Jersey so his enrollment application was rejected, and

**WHEREAS**, Tyler Flowers was appointed by the Borough Council on August 8, 2019 as a Fanwood Police Officer effective September 1, 2019.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council amends Resolution 19-08-143 and confirms this appointment.

**Resolution 19-12-191**

Kranz/Mitchell moved to adopt Resolution 19-12-191. Motion carried.

**RESOLUTION 19-12-191**

**WHEREAS**, the United States Census Bureau, NJ Complete Count Commission, has requested that every county and municipality help to ensure that all individuals in New Jersey complete the 2020 census questionnaire they will receive in March 2020, and

**WHEREAS**, it is important to strategically plan to have everyone residing in Fanwood respond and be counted whether online, by phone or mailing back their questionnaire, and

**WHEREAS**, the Borough of Fanwood has contacted concerned citizens who will design and implement a census awareness campaign targeted to the community.

**NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council hereby appoint the following individuals to be part of the Fanwood Complete Count Committee:

Katherine Mitchell  
Jill Jackson Jones  
Amy Winkler  
Daniel Weiss  
Police Chief Richard Trigo  
Diane Howarth  
Michael Lewis

**Resolution 19-12-204**

Kranz/Mitchell moved to adopt Resolution 19-12-204. Motion carried.

**RESOLUTION 19-12-204**



**Mayor and Council Regular Meeting    December 16, 2019**

Kranz/Mitchell moved to adopt Resolution 19-12-194. Motion carried on the following roll call vote.

**RESOLUTION 19-12-194**

**WHEREAS**, Elite Properties has completed its downtown redevelopment project (Block 64 Lots 6.01, 6.2 and 5.01) and is requesting the balances in the Escrow accounts be refunded as follows:

Unity Bank Planning Board Escrow	\$ 745.46
TD Bank Professional Fees	\$14,809.42
Total	<b>\$15,554.88 plus interest</b>

**NOW, THEREFORE, BE IT RESOLVED** the borough Council authorizes the release of the funds to Elite Properties, in the total amount of \$15,554.88 plus interest.

FOR:            Kranz, Mitchell, Banks, Carter, Mcelroy-Barker, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:        None

**Resolution 19-12-195**

Kranz/Mitchell moved to adopt Resolution 19-12-195. Motion carried on the following roll call vote.

**RESOLUTION 19-12-195**

**FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:87**

**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 was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for 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 the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2019** in the sum of **\$2,500.00** which is now available from Drunk **Driving Enforcement Grant** in the amount of **\$2,500.00**

**BE IT FURTHER RESOLVED**, that the like sum of **\$2,500.00** is hereby appropriated under the caption **Drunk Driving Enforcement Grant**, and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the **State of New Jersey** in the amount of **\$2,500.00**

Resolution No. **19-12-195**

Offered by        Kranz

Seconded by Mitchell

Adopted:         December 16, 2019

**Mayor and Council Regular Meeting    December 16, 2019**

FOR:            Kranz, Mitchell, Banks, Carter, Mcelroy-Barker, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:       None

**Resolution 19-12-196**

Kranz/Mitchell moved to adopt Resolution 19-12-196. Motion carried on the following roll call vote.

**RESOLUTION 19-12-196**

**WHEREAS**, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the 2019-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 2019-year budget: and

**NOW, THEREFORE BE IT RESOLVED**, the Chief Financial Officer is hereby authorized and directed to make the following transfers:

**FROM:**

Finance O&E	\$5,500.00	Court O&E	\$421.00
-------------	------------	-----------	----------

**TO:**

Road Repair S&W	\$5,500.00	Senior S&W	\$421.00
-----------------	------------	------------	----------

FOR:            Kranz, Mitchell, Banks, Carter, Mcelroy-Barker, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:       None

**Resolution 19-12-197**

Kranz/Walsh moved to adopt Resolution 19-12-197. Motion carried on the following roll call vote.

**RESOLUTION 19-12-197**

**FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE  
AND APPROPRIATION NJS 40A:87**

**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 was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**Mayor and Council Regular Meeting    December 16, 2019**

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Fanwood in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2019** in the sum of **\$1,926.89** which is now available from the **Body Armor Replacement Fund Grant** in the amount of **\$1,926.89**

**BE IT FURTHER RESOLVED**, that the like sum of **\$1,926.89** is hereby appropriated under the caption **Body Armor Replacement Fund**, and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the **State of New Jersey** in the amount of **\$1,926.89**

Resolution No. **19-12-197**

Offered by     Kranz

Seconded by   Walsh

Adopted:       December 16, 2019

FOR:            Kranz, Walsh, Banks, Carter, Mcelroy-Barker, Mitchell

AGAINST:       None

ABSTAIN:       None

ABSENT:        None

**Resolution 19-12-198**

Kranz/Mitchell moved to adopt Resolution 19-12-198. Motion carried on the following roll call vote.

**RESOLUTION 19-12-198**

**WHEREAS**, every municipality in the State of New Jersey is required to have an individual serve as a Municipal Clerk pursuant to *N.J.S.A.* 40A:9-133; and

**WHEREAS**, the Borough of Fanwood (“Borough”) requires an individual to carry out the statutory following functions: act as custodian of records, secretary to the governing body, the administrator of local elections, the registrar of voters in the municipality, receive license applications and maintain the records required by statute as well as other important governmental duties; and

**WHEREAS**, the governing body has identified an individual to perform the duties and functions of this important office.

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body hereby appoints **Colleen Huehn** to the position of **ACTING CLERK** a period of sixty (60) days with the appointment commencing on January 1, 2020.

FOR:            Kranz, Mitchell, Banks, Carter, Mcelroy-Barker, Walsh

AGAINST:       None

ABSTAIN:       None

ABSENT:        None

**Resolution 19-12-199**

Kranz/Walsh moved to adopt Resolution 19-12-199. Motion carried on the following roll call vote.

**RESOLUTION 19-12-199**

**WHEREAS**, the State of New Jersey established the Public Employees' Retirement System pursuant to *N.J.S.A. 43: 15A-1 et. seq.*; and

**WHEREAS**, the Borough of Fanwood ("the Borough") participates in the Public Employees' Retirement System by virtue of its status as an employer operating as a local government unit in the State; and

**WHEREAS**, *N.J.S.A. 43: 15A-1* and *N.J.S.A. 43: 3C-15* require a certifying officer and a supervising certifying officer to certify the eligibility requirements for enrollment in the State system as created by statute; and

**WHEREAS**, *N.J.S.A. 43: 3C-15* also requires that a certifying officer and that officer's immediate supervisor to certify in writing or electronically, at the time of an enrollment of a member and annually for each member of the retirement system, that the person enrolled is eligible for enrollment in the appropriate pension fund in accordance with the relevant law and the rules or and regulations promulgated thereunder; and

**WHEREAS**, *N.J.S.A. 43: 3C-15* requires the employer designate an officer or employee of the Borough who is responsible for submitting to a pension fund or retirement system such information, and for performing the duties related to matters concerning the pension fund or retirement system with respect to each of the employees of the Borough as required of the Borough by law and the rules and regulations promulgated thereunder; and

**NOW, THEREFORE, BE IT RESOLVED** the Governing Body hereby appoints the following employees of the Borough to fulfill its obligations pursuant to *N.J.S.A. 43: 3C-15* and the rules and regulations promulgated thereunder:

**Patricia Celardo as the Supervising Certifying Officer**

**Colleen Huehn as the Certifying Officer**

**NOW, THEREFORE, BE IT RESOLVED** that this Resolution shall take effect December 31, 2019.

FOR:            Kranz, Walsh, Banks, Carter, Mcelroy-Barker, Mitchell  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:        None

**Resolution 19-12-205**

Kranz/Mitchell moved to adopt Resolution 19-12-205. Motion carried on the following roll call vote.

**RESOLUTION 19-12-205**

**Mayor and Council Regular Meeting    December 16, 2019**

**WHEREAS**, an application for a liquor license renewal for license year 2019-2020 has been completed by the applicant and submitted to ABC, a tax clearance certificate from the NJ Department of the Treasury has been received, and the required fee was paid to the Borough for the following license:

**Limited Retail Distribution License:**

Suny Desai  
14 Eventide Court  
Morris Plains, NJ  
2005 43 002 002

and

**WHEREAS**, Suny Desai applied for and received a Special Ruling to permit renewal for the above inactive license pursuant to N.J.S.A. 33:1-12.39.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council that a liquor license be issued to Suny Desai, for the period July 1, 2019 through June 30, 2020, for the license listed above.

FOR:            Kranz, Mitchell, Banks, Carter, Mcelroy-Barker, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:        None

s

**B. Public Safety (Councilman Carter)  
Resolution 19-12-200**

Carter/Mcelroy-Barker moved to adopt Resolution 19-12-200. Motion carried on the following roll call vote.

**RESOLUTION 19-12-200**

**WHEREAS**, the Borough of Fanwood has a need to have cars towed in the Borough, and

**WHEREAS**, George Church Inc., 183 South Avenue, Fanwood, NJ has applied for a Towing License for Year 2020, paid the license fee, provided a Certificate of Insurance and other documentation required by Ordinance 19-06-R, Chapter 280, Vehicles and Traffic relating to Wreckers and Towing, and

**WHEREAS**, the tower received a copy of the Borough's new Ordinance 19-06-R for review and is aware that towing rates cannot be charged more than those rates stated in the Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby approves the Towing License for George Church, Inc. for Year 2020.

FOR:            Carter, Mcelroy-Barker, Banks, Kranz, Mitchell, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:        None

**Resolution 19-12-201**

Carter/Kranz moved to adopt Resolution 19-12-201. Motion carried on the following roll call vote.

**RESOLUTION 19-12-201**

**WHEREAS**, the Borough of Fanwood has a need to have cars towed in the Borough, and

**WHEREAS**, JVD Towing Service, 1226 New Market Avenue, South Plainfield, NJ 07080, has applied for a Towing License in the Borough for Year 2020, paid the license fee, provided a Certificate of Insurance and other documentation required by Ordinance 19-06-R, Chapter 280, Vehicles and Traffic relating to Wreckers and Towing, and

**WHEREAS**, the tower received a copy of the Borough's new Ordinance 19-06-R for review and is aware that towing rates cannot be charged more than those rates stated in the Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby approves the Towing License for JVD Towing Service for Year 2020.

FOR:            Carter/Kranz, Banks, Mcelroy-Barker, Mitchell, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:        None

**C. Public Works (Councilwoman Mitchell)**

**Resolution 19-12-202**

Mitchell/Mcelroy-Barker moved to adopt Resolution 19-12-203. Motion carried on the following roll call vote.

**RESOLUTION 19-12-202**

**WHEREAS**, the Fanwood Safe Routes To Schools and FY 2015 Municipal Aid Project on Madison Avenue has been completed and the reports, logs and required documents have been calculated and received by the Borough Clerk, and

**WHEREAS**, Change Order No. 3, depicting a decrease in quantities and an increase in additional work unanticipated when the project was developed, has been submitted by Neglia Engineering Associates increasing the total contract amount to \$559,499.69, a 0.23% increase.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby authorizes Change Order No. 3 for the Madison Avenue Project that increases Block Rock Enterprises' final contract amount to \$559,499.69.

FOR:            Mitchell, Mcelroy-Barker, Banks, Carter/Kranz, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:        None

**Resolution 19-12-203**

**Mayor and Council Regular Meeting    December 16, 2019**

Mitchell/Walsh moved to adopt Resolution 19-12-203. Motion carried on the following roll call vote.

**RESOLUTION 19-12-203**

**WHEREAS**, through Resolution 19-10-174, the Borough awarded the contract for the installation of a dual port Electric Vehicle Charging Station in the Borough’s Downtown Municipal Parking Lot, behind the Martine Avenue Stores, to Plug In Stations Online, LLC, and

**WHEREAS**, it is also necessary to “Make Ready” the Electrical Service proponent that supports the Electric Vehicle Charging Station and Plug In Stations Online has provided a proposal for this work.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby awards the contract for this service to Plug In Stations Online to perform this service, in the amount of \$7,992.00.

FOR:            Mitchell, Walsh, Banks, Carter, Kranz, Mcelroy-Barker  
AGAINST:       None  
ABSTAIN:       None  
ABSENT:        None

**Resolution 19-12-206**

Mitchell/Kranz moved to adopt Resolution 19-12-206. Motion carried on the following roll call vote.

**RESOLUTION 19-12-206**

**WHEREAS**, the Borough of Fanwood is a member of Sourcewell Coop Pricing (formerly NJPA, National Joint Powers Alliance) and under N.J.S.A. 40A:11-11 (5) the Borough is authorized to purchase goods through a Cooperative Pricing Agreement; and

**WHEREAS**, Sourcewell is a national purchasing cooperative which allows it to serve all government, educational and non-profit agencies nationwide; and

**WHEREAS**, New Jersey P.L. 2011, C139 permits local units to utilize contracts awarded by national cooperatives and Local Finance Notice 2012-10 expands on the New Jersey legal requirements that must be met by contracting units planning on using a national contract; and

**WHEREAS**, the Borough of Fanwood has verified the documentation requirements to ensure Gabrielli Kenworth of NJ, LLC, Sanitation Equipment Corporation, Foley Inc. comply with applicable New Jersey procurement requirements; and

**WHEREAS**, according to Local Finance Notice 2012-10, the Borough published a Notice of Intent to Purchase from Sourcewell on December 5, 2019 in the Scotch Plains Fanwood Times and no competitive alternatives were submitted; and

**WHEREAS**, the Borough, through its membership in Sourcewell is able to purchase the



**Mayor and Council Regular Meeting    December 16, 2019**

**Vendor:** Highway Equipment Company

**WHEREAS**, the equipment itemized above will be purchased through the 2019 Capital Budget, Ordinance 19-09-S.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council hereby authorizes the purchases of the equipment shown above, in the amount of **\$253,842.07**

FOR:            Mitchell, Kranz, Banks, Carter, Mcelroy-Barker, Walsh  
AGAINST:      None  
ABSTAIN:      None  
ABSENT:        None

**PRIVILEGE OF THE FLOOR BY THE PUBLIC**

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

Mike Lewis stated that Scotch Plains needs Fanwood’s support in modifying the Affordable Housing Laws.

Jack Molenaar, 146 Farley Avenue, stated that the Council should see the 2019 raises the Freeholders will receive. Thanked Council President Kranz and Eleanor McGovern, who are retiring on 12/31/2019 for all they did for the residents of Fanwood.

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

**MAYOR AND COUNCIL COMMENTS**

Councilwoman Mcelroy-Barker thanked and complimented Tom Kranz for all his help.

Councilwoman Walsh is happy about her first year of service to the residents of Fanwood.

Councilman Carter complimented Tom Kranz and the Fanwood Police Department.

Council President Kranz thank everyone for their kind words that are important to him.

Councilwoman Mitchell thanked Tom Kranz for his expertise in getting things done.

Councilman Banks stated that his first year serving the residents was very exciting.

**EXECUTIVE SESSION**

Carter/Walsh moved the meeting into Executive Session to discuss personnel matters. Motion carried.

Mayor Mahr left the dais at 9:05 pm.

Walsh/Mcelroy-Barker moved to return to the normal order of business. Motion carried.

**ADJOURNMENT**

Mitchell/Walsh moved to adjourn at 9:15 pm.

Respectfully submitted,

Eleanor McGovern  
Borough Clerk

