

**BOROUGH OF FANWOOD
REGULAR MEETING OF THE MAYOR AND COUNCIL
December 21, 2020**

The Regular Meeting of the Mayor and Council was held on December 21, 2020 via virtual meeting and phone conference at 7:02PM

Borough Clerk, Kathleen Holmes, presided and stated: I hereby announce and request that such be included in the minutes of the meeting that notice of the time, place and date of this meeting has been prominently posted on the bulletin board at Borough Hall, mailed to the Times, the Courier News and Star Ledger, filed with the Borough Clerk by January 10, 2020 and mailed to any person requesting same in accordance with the requirements of the Open Public Meetings Act.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance and moment of silence was led by Mayor Mahr in remembrance of all those suffering through the pandemic.

ROLL CALL:

Present: Councilman Jeffrey Banks Councilman Anthony Carter, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, and Councilwoman Patricia Walsh

Absent: Councilwoman Francine Glaser

Also, Present: Mayor Colleen Mahr, Borough Administrator Rayna Harris, Borough Clerk, Kathleen Holmes, Borough Attorney Russell Huegel, CFO Frederick Tomkins, Borough Engineer, Antonios Panagopoulos and Downtown Economic Developer, Elizabeth Jeffrey.

REVIEW AND APPROVAL OF MINUTES

Councilwoman Katherine Mitchell/Councilman Anthony Carter moved that the following minutes be approved as written. The motion carried.

Agenda Meeting – November 16, 2020
Special Meeting – November 2, 2020
Regular Meeting – November 2, 2020

APPOINTMENT AND ANNOUNCEMENTS

Mayor spoke briefly about the first ever holiday passport game and what a success it was. Mayor Mahr announced that the winner of the Holiday Passport contest is Mike & Mary Kelly. Congratulations to the well-deserved winners.

Fred Tomkins spoke briefly regarding the letter from the American Water regarding rates. – it was marked for note and file.

PRESENTATIONS OF COMMUNICATIONS AND REFERRALS

- Executive Orders 191-194 – Note and File
- Letter from Cranford Fire Chief, Daniel J. Czeh, acknowledging Fire Chief John Piccola and his son Brian on their valiant efforts in regards to a fire at 44 Roselle Avenue, Cranford. – Note and File
 - Congratulations were acknowledged by Mayor and Council.

STANDING COMMITTEE REPORTS

- A. Administration and Finance – Erin McElroy Barker
Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell motioned to adopt the Tax Collectors Report for the month of October. The motion carried.
Ms. McElroy-Barker stated the Admin and Finance committee is always meeting and working to keep the budget on track. Mrs. McElroy-Barker spoke about the Bond Ordinance for the Library, the sewer utility fund, moving forward with the budget. She also thanked Fred Tomkins for guiding everyone through a very tough year. She also spoke about the THRT plans for the new year.
- B. Public Safety – Anthony Cater gave the monthly report for the Fanwood Police Department. Mr. Carter personally thanked the Police Department for all their hard work.
- C. Public Works – Katherine Mitchell gave the Public Works report and spoke about the recycling center still collecting electronics first Saturday of the month and that Shade Tree will be planting 4 new trees. Ms. Mitchell thanked everyone who donated food and spoke about the Ministerium “virtual” Thanksgiving Services and that they are preparing for next year.
- D. Land Use & Historic Preservation – Ms. Walsh reported the reported that the Fire Department answered 20 calls in November. Ms. Walsh also congratulated our Chief and his son on their heroic efforts in Cranford.
- E. Recreation and Community Services – No Report
- F. Health and Senior Services – Mayor Mahr - Ms. Glaser spoke about the Westfield Regional Board of health services and gave a shout out to Megan Avalon on her professionalism, keeping us updated, etc.

SPECIAL COMMITTEE REPORTS

None

PRESENTATION OF CLAIMS

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved to accept the payment of claims. The motion carried

BE IT RESOLVED that claims in the amount of \$4,207.84 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 CLAIMS BY RESOLUTION

None.

PRIVILEGE OF THE FLOOR BY THE PUBLIC (AGENDA ITEMS ONLY)

Councilwoman Erin McElroy-Barker/Councilman Anthony Carter moved to open the meeting to the public. Motion carried

A question was asked as to when the Re-Organization Meeting would take place. Mayor answered that it would be announced within the next few days.

Councilman Anthony Carter/Councilwoman Katherine Mitchell moved to close the meeting to the public. Motion carried

OLD BUSINESS

None

CONSENT AGENDA

None.

NEW BUSINESS

A. A&F Committee (Erin McElroy Barker)

Councilwoman Erin McElroy-Barker/Councilwoman Katherine Mitchell moved to open the public hearing on **Ordinance 20-22-S**. Motion carried.

No one Spoke.

Councilwoman Erin McElroy-Baker/Councilwoman Katherine Mitchell moved to close the Public Hearing. Motion carried on the following roll call.

ORDINANCE # 2020-22-S

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$7,200,000 FOR THE CONSTRUCTION OF A LIBRARY IN AND BY THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,702,500 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 improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Borough of Fanwood, in the County of Union, New Jersey (the "Borough") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$7,200,000, such sum includes the sum of \$3,497,500 expected to be received as a grant from the New Jersey Library Construction Bond Fund. No down payment is 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") as the purpose authorized herein involve a project funded by a State grant from the State of New Jersey, specifically the New Jersey Library Construction Bond Act as permitted under N.J.S.A. 40A:2-11c.

SECTION 2:

In order to finance the additional cost of the Improvement, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$3,702,500 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$3,702,500 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 the financing of which said obligations are to be issued is for the construction of a library, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$3,702,500.

(c) The estimated cost of the Improvement is \$7,200,000 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 municipal finance 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.

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 Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property 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 Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 30 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 \$3,702,500 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,500,000 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 or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing additional costs of said Improvement provided the Borough provides an appropriation therefor or for financing said Improvement by application thereof either to direct payment of the cost of said Improvement 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 Improvement 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 Improvement 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 cost of the Improvement is \$3,702,500.

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.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,

NAYES: None

ABSENT: Councilwoman Francine Glaser

ABSTENTIONS: None

Councilwoman Erin McElroy-Barker/Councilwoman Katherine Mitchell moved to open the public hearing on **Ordinance 20-23-S**. Motion carried.

No one Spoke.

Councilwoman Erin McElroy-Baker/Councilwoman Katherine Mitchell moved to close the Public Hearing. Motion carried on the following roll call.

ORDINANCE # 2020-23-S

AN ORDINANCE OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(m) IN THE AMOUNT OF \$125,000 TO FUND A DEFICIT IN OPERATIONS IN THE SEWER UTILITY FUND DIRECTLY ATTRIBUTABLE TO COVID-19

WHEREAS, the Governor of the State of New Jersey (the "State") has heretofore declared a public health emergency and a state of emergency in response to the outbreak of the coronavirus disease 2019 as announced by the World Health Organization on February 11, 2020, and first identified in Wuhan, China ("COVID-19"); and

WHEREAS, N.J.S.A. 40A:4-53(m) provides that a municipality may, subject to the approval of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs (the "Director"), adopt an ordinance providing for a special emergency appropriation for the funding of a deficit in operations of the Borough directly attributable to COVID-19; and

WHEREAS, the Chief Financial Officer of the Borough of Fanwood, in the County of Union, New Jersey (the "Borough") has executed a certification in the form prescribed by the Director, certifying that the deficit balance anticipated in the sewer utility fund to be reported on the Borough's "Results of Operations" schedule of the annual financial statement for the current fiscal year is \$125,000; and

WHEREAS, by resolution adopted on December 7, 2020, the Borough Council of the Borough approved such certification, together with the Borough's application to the Director seeking approval of the adoption of this ordinance; and

WHEREAS, the Borough Council of the Borough has determined to provide for the funding of such anticipated operating deficit balance in the sewer utility fund, in the net amount of \$125,000.

NOW THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:4-53(m), the sum of \$125,000 is hereby appropriated for the funding of a deficit in operations of the Borough directly attributable to COVID-19, consisting of a deficit in operation in the sewer utility fund in the amount of \$125,000 which is anticipated to be experienced by the Borough in the current (2020) fiscal year, and the same shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-53.

Section 2. The portion of the authorization financed shall be provided for in succeeding annual budgets commencing in 2022 by the inclusion of at least one fifth of the amount authorized by this ordinance and financed and as provided in N.J.S.A. 40A:4-55.

Section 3. A copy of this ordinance shall be filed with the Director of the Division of Local Government Services.

Section 4. This ordinance shall take effect upon final passage and publication as required by law; provided that the approval of the Director has been obtained.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,

NAYES: None

ABSENT: Councilwoman Francine Glaser

ABSTENTIONS: None

Councilwoman Erin Mc Elroy Barker/Councilwoman Katherine Mitchell moved **Resolution 20-12-216**. The motion carried on the following roll call vote:

**BOROUGH OF FANWOOD
RESOLUTION 20-12-216
RESOLUTION AUTHORIZING THE BOROUGH TO
PARTICIPATE IN PSE&G'S ENERGY CONSERVATION PROGRAM**

WHEREAS, the Borough of Fanwood ("the Borough") continually searches for ways to conserve energy, and minimize its costs to save on its operations; and

WHEREAS, PSE&G provided a proposal dated October 17, 2020 to the Borough that analyzed its participation in its Energy Conservation Program would result in savings and conservation for the Borough, and as a result, offered the Borough an opportunity to participate in its Energy Conservation Program ("the Program"); and

WHEREAS, PSE&G's Program offers installation of lamps, fluorescent ballasts, their fixtures, and other materials collectively referred to as ECMs, but also includes the disabling of old light fixtures and their proper and safe disposal; and

WHEREAS, the Borough is in receipt of an installation and repayment agreement from PSE&G for participation in this program; and

WHEREAS, the Borough wishes to act on this proposal to take advantage of the cost saving and conservation benefits that will result from participation in this program; and

THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fanwood hereby authorize and direct that the Borough Administrator to enter into an agreement with PSE&G to participate in its Energy Conservation Program based on its October 17, 2020 proposal for an amount not to exceed \$15,752.50

This resolution shall take effect immediately.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on December 21, 2020.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,
NAYES: None
ABSENT: Councilwoman Francine Glaser
ABSTENTIONS: None

Councilwoman Erin Mc Elroy Barker/Councilman Jeffrey Banks moved **Resolution 20-12-217**. The motion carried on the following roll call vote:

**BOROUGH OF FANWOOD
RESOLUTION 20-12-217
RESOLUTION OF THE BOROUGH OF FANWOOD AUTHORIZING A CHANGE ORDER
WITH THE ARCHITECT FOR RENOVATIONS TO BOROUGH HALL DUE TO COVID-19**

WHEREAS, the Borough of Fanwood previously determined that Borough Hall is in need of renovations to deal with the impact of COVID-19 on working environments and public spaces for the health and welfare of its employees and the public in their interactions with their local government;

WHEREAS, the Borough awarded the renovation contract to Settembrino Architects to address the needs of Borough Hall from review of plans, preparation of the public bids, providing an estimate for the construction as well as administrative construction services for this project;

WHEREAS, Settembrino Architects has advised the Borough that the project requires a change order which will increase the contract in the amount of \$8,777.21; and

WHEREAS, the requested change order is reflected in the attached itemization schedule which sets forth the contractor, and the specific items requested in addition to the original list of renovations authorized by the Borough; and

WHEREAS, the governing body wishes to authorize the change order so the project to renovate Borough Hall may proceed without interruption in accordance with its goals;

NOW THEREFORE BE IT RESOLVED, the governing body hereby authorizes the Borough Administrator to accept the change order in the attached itemization schedule as provided by Settembrino Architects to proceed with the renovations to Borough Hall not to exceed \$8,777.21; and

IT IS FURTHER RESOLVED that this Resolution shall take effect immediately.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on December 21, 2020.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,
NAYES: None
ABSENT: Councilwoman Francine Glaser
ABSTENTIONS: None

Councilwoman Erin Mc Elroy Barker/Councilwoman Katherine Mitchell moved **Resolution 20-12-218**. The motion carried on the following roll call vote:

**BOROUGH OF FANWOOD
RESOLUTION 20-12-218
RESOLUTION IN SUPPORT OF LIQUOR LICENSE REFORM IN
THE STATE OF NEW JERSEY.**

WHEREAS, the Borough of Fanwood ("the Borough") recognizes that the State of New Jersey's liquor license laws date back to the 1950s and 1960s; and

WHEREAS, under current law, a municipality may issue plenary retail consumption licenses until the combined total number in the municipality is fewer than one license for each 3,000 municipal residents and this restriction creates a shortage of these licenses in some municipalities; and

WHEREAS, the State of New Jersey's liquor license laws has caused an extreme supply imbalance that the statewide average cost of an individual liquor license is \$300,000, an exorbitant amount causing an inequitable landscape among current and potential restaurateurs; and

WHEREAS, the restaurant liquor license standards of other states in the Northeast region enable restaurateurs to join the market at a significantly lower price point than the State of New Jersey, thus giving them a competitive advantage; and

WHEREAS, the Borough also recognizes that the COVID-19 pandemic has put additional burden on New Jersey's small businesses, particularly the restaurant industry; and

WHEREAS, there is clear need to for reform as demonstrated by the numerous bills already introduced in the 2020-21 New Jersey Legislature session with the intent to expand liquor license, including but not limited to S2964/A4925, A1700, A1125/S2108, A1128/S2109, A2274/S1592, A725/S1712, S1315, A1955/S615, A1218; and

WHEREAS, the Borough recognizes the need to compensate existing license holders that paid exorbitant prices for the right to sell liquor in their restaurants; and

WHEREAS, the State of New Jersey should be a leader in reform initiatives that helps its small businesses survive and thrive, provides an equitable business environment, and enables New Jersey to better compete in the regional market and the Borough wishes to voice its support with these goals; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Fanwood that it supports meaningful liquor license reform legislation to create a more balanced liquor license market; and

BE IT FURTHER RESOLVED that the Clerk be and hereby is authorized to distribute copies of this Resolution to all appropriate officials and agencies including our Legislative Representatives, the Governor, the Lieutenant Governor and the New Jersey State League of Municipalities.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,

NAYES: None

ABSENT: Councilwoman Francine Glaser

ABSTENTIONS: None

Councilwoman Erin Mc Elroy Barker/Councilwoman Katherine Mitchell moved
Resolution 20-12-219. The motion carried on the following roll call vote:

**BOROUGH OF FANWOOD
RESOLUTION 20-12-219
RESOLUTION IN SUPPORT OF NEW JERSEY SENATE BILL
NO. S-2964 AND NEW JERSEY ASSEMBLY BILL A-4925
WHICH ESTABLISHES A RESTRICTED ALCOHOLIC
BEVERAGE LICENSE THAT ALLOWS THE SALE OF BEER,
WINE, AND CIDER BY THE GLASS ON THE PREMISES OF A
RESTAURANT WITH A FULL SERVICE KITCHEN.**

WHEREAS, the Borough of Fanwood ("the Borough") recognizes that the State of New Jersey's liquor license laws date back to the 1950s and 1960s; and

WHEREAS, the Borough recognizes that under these antiquated liquor license laws together with the COVID-19 pandemic has put additional burden on New Jersey's small businesses, thus putting them a competitive disadvantage; and

WHEREAS, the Borough wishes to support its own restaurants and small businesses by voicing its support for liquor license reform given these conditions; and

WHEREAS, Senate Bill No. S-2964 and Assembly Bill No. A-4925, attached hereto, addresses this shortage by allowing a municipality to issue these limited beer, wine, and cider licenses; and

WHEREAS, Senate Bill No. S-2964 and Assembly Bill No. A-4925 also allows the licensee to charge a service or corkage fee to patrons who bring their own beer, wine, or cider for consumption on the licensed premises and removes the prohibition on advertising that a restaurant is "BYOB;" and

WHEREAS, in addition to other details related to taxation and application, Senate Bill No. S-2964 and Assembly Bill No. A-4925 also provides a tax credit against the corporation business tax and gross income tax to compensate license holders for the expected loss in value resulting from the creation of the new restricted licenses.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Fanwood of that it supports S-2964 and A-4925 as a means to address the limited availability of plenary retail consumption licenses and the resulting escalating retail/transactional price associated with the acquisition of such licenses; and

Councilwoman Erin Mc Elroy Barker/Councilwoman Katherine Mitchell moved **Resolution 20-12-221**. The motion carried on

**BOROUGH OF FANWOOD
COUNTY OF UNION, STATE OF NEW JERSEY
RESOLUTION No. 2020-12-221**

WHEREAS, the United States Congress has enacted the Coronavirus Aid Relief and Economic Security Act (the "CARES Act") for, among other reasons, providing relief for economic damage caused to states, counties and municipalities by the COVID-19 health crisis; and

WHEREAS, the County of Union has received CARES Act funds from the United States Treasury (the Stimulus Funds") to be used to reimburse the County Borough of Fanwood, and municipalities and agencies within the County, including the Borough of Fanwood, due to economic damage caused by the COVID-19 health crisis; and

WHEREAS, the Freeholders of the County of Union have determined that it is in the best interest of the citizens of Union County to dedicate a share of the funding to reimburse municipalities for COVID-19 related costs and expenses under the Stimulus Funds through a reimbursement agreement; and

WHEREAS, the Borough of Fanwood wishes to enter into agreement with the County of Union to receive reimbursement from the Stimulus Funds of COVID-19 related costs and damages, to the extent available and applicable, in an amount not to exceed \$_55,051.81 for the period of __April 1,2020 through December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey that the Mayor/Borough Administrator is hereby authorized to execute a Reimbursement Agreement with the County of Union according to the terms and conditions and in substantially the form attached hereto; and

Borough Council of the Borough of Fanwood, in the County of Union, New Jersey that the Township Administrator and/or Chief Financial Officer of the Borough is hereby authorized to execute any and all additional documents necessary to effectuate the Reimbursement Agreement.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,

NAYES: None

ABSENT: Councilwoman Francine Glaser

ABSTENTIONS: None

Councilwoman Erin Mc Elroy Barker/Councilwoman Patricia Walsh moved **Resolution 20-12-222**. The motion carried on

**BOROUGH OF FANWOOD
RESOLUTION 20-12-222**

WHEREAS, the Mayor and Council have a need to acquire a service to gather lost or abandoned domestic animals and remove other wildlife for the Borough of Fanwood in for the year 2021 ("Service") 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 \$17,500.00 and

WHEREAS, Animal Control Services, LLC, 2 Marshall Drive, Flemington, NJ submitted a response to the RFQ issued by the Mayor and Council for this Service, and

NOW, THEREFORE BE IT RESOLVED, Animal Control Services, LLC, 2 Marshall Drive, Flemington, NJ is hereby appointed by the Mayor & Council of the Borough of Fanwood as the Animal Control service for the Borough for the year 2021, and

BE IT FURTHER RESOLVED, that a copy of the attached notice be printed and advertised once consistent with the publication requirements of the law within 10 days of this date, and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be, and hereby are authorized to enter into a contract with Animal Control Services, LLC, 2 Marshall Drive, Flemington, NJ in accordance with the terms of this Resolution and the attached Notice approved by the Borough Attorney.

Attached hereto is the certification of the Chief Financial Officer of the Borough of Fanwood which states that there are legally appointed funds to cover the costs of this contract.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on December 21, 2020.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,

NAYES: None

ABSENT: Councilwoman Francine Glaser

ABSTENTIONS: None

Councilwoman Erin Mc Elroy Barker/Councilwoman Katherine Mitchell moved
Resolution 20-12-223. The motion carried on

**BOROUGH OF FANWOOD
RESOLUTION 20-12-223**

WHEREAS, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the 2020-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 2020 year budget: and

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

FROM:

Road Repair O&E	\$15,000.00	Crossing Guards/S&W	\$5,000.00
PEOSHA	\$900.00	Right to Know O&E	\$900.00
Communications O&E	\$5,000.00	Court O&E	\$5,000.00
Social Security	\$4,000.00		

TO:

Street Lights	\$15,800.00	Snow Removal	\$15,000.00
Police S&W	\$5,000.00		

This is to certify that the above is a true and exact copy of a resolution adopted by the Mayor and Council on December 21, 2020.

AYES: Councilman Jeffrey Banks, Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh,

NAYES: None

ABSENT: Councilwoman Francine Glaser

ABSTENTIONS: None

PRIVILEGE OF THE FLOOR BY THE PUBLIC

Councilwoman Katherine Mitchell/Councilwoman Patricia Walsh moved to open the floor to the public. The motion carried

No one wished to be heard.

Councilman Anthony Carter/Councilman Jeffrey Banks moved to close the meeting to the public. The motion carried.

MAYOR AND COUNCIL COMMENTS

Councilman Anthony Carter: Mr. Carter wished all a Happy Holiday and to please stay safe!

Councilwoman Erin McElroy Barker: Asked everyone to try to have a Happy Holiday! Stay safe!

Councilman Jeffrey Banks: Can't wait to put 2020 in the rearview mirror. Hopefully the vaccine will be available shortly, until then, stay safe.

Councilwoman Katherine Mitchell: Thanked Mayor and Council and Borough Staff for working through an incredibly difficult year. She wished all peace and good health.

Councilwoman Walsh: Congratulated Anthony Carter and Jeffrey Banks on their re-election. Ms. Walsh agreed with Mr. Carter and urged residents to slow down around town. Ms. Walsh wished everyone a Happy Thanksgiving.

Mayor Colleen Mahr: Wanted to say kudos to Ray Sullivan for his end of year report. Mayor also thanked the employees for a job well done and welcomed Rayna Harris to the Burrough. Mayor Wished everyone a very Heartfelt Happy Holiday Season, please wear your masks.

EXECUTIVE SESSION:

Councilwoman Katherine Mitchell/Councilwoman Patricia Walsh moved the meeting into Executive Session. Motion carried.

Litigation matters were discussed.

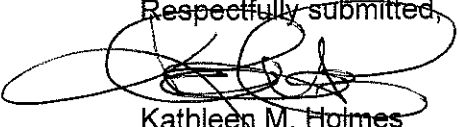
Councilman Anthony Carter/Councilwoman Katherine Mitchell moved the meeting out of Executive Session. Motion carried.

ADJOURNMENT

Councilman Carter/Councilwoman Patricia Walsh moved to adjourn the meeting. The motion carried

Meeting adjourned at 8:47 PM

Respectfully submitted,



Kathleen M. Holmes
Borough Clerk