

**BOROUGH OF FANWOOD
MAYOR AND COUNCIL SPECIAL MEETING
December 7, 2020**

This Special Meeting of the Mayor and Council was held on December 7, 2020, via virtual and telephone conference at 6:30 pm.

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

Present: Anthony Carter, Francine Glaser, Erin McElroy-Barker Katherine Mitchell,
Patricia Walsh

Absent: Jeffrey Banks,

Also, Present: Kathleen Holmes, Frederick Tomkins, Russell Huegel, Antonios Panagopoulos,
Liz Jeffery

Council President stated that this meeting was being held to hold first reading of two Ordinances and public hearings on three Ordinances and several resolutions.

NEW BUSINESS

A. Administration and Finance (Councilwoman Erin McElroy-Barker)

Councilwoman Erin McElroy-Barker/Councilwoman Katherine Mitchell moved to adopt **Ordinance 20-19-S** on second reading and public hearing. Motion carried on the following roll call vote. **(2nd Reading – Public Hearing)**

A public hearing was held on **Ordinance 20-19-S**.

No one from the public spoke.

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved that **Ordinance 20-19-S** be adopted on second reading and final passage. The motion carried on the following roll call vote:

Ordinance No. 20-19-S

**ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION IN THE AMOUNT OF \$110,000 OR SUCH
OTHER AMOUNT CERTIFIED BY THE DIRECTOR OF THE
DIVISION OF LOCAL GOVERNMENT SERVICES, FOR THE
PURPOSES SET FORTH IN N.J.S.A. 40a:4-53(M), IN AND BY
THE BOROUGH OF FANWOOD, COUNTY OF UNION, NEW
JERSEY**

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

Section 1. The Borough of Fanwood, in the County of Union, New Jersey (the "Borough") hereby appropriates an aggregate the amount of \$110,000 to provide for such time as a public health emergency, pursuant to the "Emergency Health Powers Act" P.L.2005, c222 (C.26:13-1 et seq.), declared in response to COVID-19 remains in effect, a deficit in operations experienced by the Borough during fiscal year 2020, in which a public health emergency pursuant to the "Emergency Health Powers Act," P.L. 2005, c.222 (C.26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c.251 (C.App.A:9-33 et seq), or both has been declared by the Governor in response to COVID-19, in the amount of \$110,000 pursuant to N.J.S.A. 40A:4-53(m). The appropriation authorized hereby shall be in the amounts set forth herein or such other amounts as certified by the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director").

Section 2. The Borough shall apply for any financial assistance that may be available to the Borough from the federal government, the State of New Jersey, and other sources to offset any operating deficit directly attributable to COVID-19, and any such financial assistance obtained by the Borough shall be utilized to offset any operating deficit.

Section 3. A copy of this Ordinance as finally adopted shall be filed with the Director.

Section 4. This ordinance shall take effect upon the latter of (i) the date determined by applicable law or (ii) the earlier of (a) the date the Director approves in writing the application submitted by the Chief Financial Officer of the Borough for approval of the special emergency authorized hereby (the "Application") and (b) the date that is 45 days (or the first business day following such 45th day, if applicable) following the date the Chief Financial Officer submit the Application to the Director.

PRESENT: Anthony Carter, Francine Glaser, Erin McElroy-Barker, Katherine Mitchell, Patricia Walsh

ABSENT: Jeffrey Banks

AYES: Councilman Banks, Councilman Carter, Councilwoman Glaser, Councilwoman Mitchell, Councilwoman Walsh

NAYS: None

ABSENT: Councilwoman McElroy Barker,

ABSTENTIONS: None

Councilwoman Erin McElroy-Barker/Councilwoman Katherine Mitchell moved to adopt **Ordinance 20-20-R** on second reading and public hearing. Motion carried on the following roll call vote. **(2nd Reading – Public Hearing)**

A public hearing was held on **Ordinance 20-20-R**.

No one from the public spoke.

**ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION, NEW JERSEY
VACATING PORTIONS OF THE PUBLIC ROADS KNOWN AS OLD SOUTH AVENUE**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") On October 15, 2018, the Fanwood Borough Council found that the subject property, Old South Avenue Corridor, in the Borough of Fanwood, County of Union and State of New Jersey, known and designated as Block 55, Lots 7.01, 8, 9.0101, 9.0102, 10, 11, 11.01, 12 and Block 57, Lot 1, inclusive of any and all streets, and right of ways, as shown on the official Tax Map of the Borough of Fanwood, met the criteria set forth in N.J.S.A. 40A:12A-5(c) and (e) for redevelopment designation and that the delineated area be designated as an area in need of redevelopment, as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq. to be known as "Old South Avenue Redevelopment Area"; and

WHEREAS, pursuant to the Redevelopment Law, the Borough Council caused a redevelopment plan for the Old South Avenue Redevelopment Area to be prepared by Phillips Preiss, Grygiel Leheny Hughes LLC, entitled "Old South Avenue Redevelopment Area" (the "Redevelopment Plan"); and

WHEREAS, the Borough Council on August 5, 2019, following the Planning Board's review and comment upon the Redevelopment Plan, pursuant to the Redevelopment Law, adopted the Redevelopment Plan by Ordinance No. 19-12-R as it was in the best interests of the Borough and the redevelopment of the Redevelopment Area.; and

WHEREAS, Carano Square LLC (the "Redeveloper") is the owner of a property in the Redevelopment Area, the property being known as "A and P property" at 61 and 105 South Avenue, also known as Block 55, Lot 11, 11.01 and 12 and contingent contract purchaser of Block 57, Lot 1; and

WHEREAS, the Redeveloper is proposing the development of mixed-use project including ground floor restaurant space and residential units in multi-story structure on the Property (the "Project") and has submitted a Redevelopment Proposal Application; and

WHEREAS, the Borough Council, acting as the Redevelopment Agency, of the Borough of Fanwood approved Resolution No. 20-01-01 conditionally designating Redeveloper for the Old South Avenue Redevelopment Area; and

WHEREAS, the Redevelopment Plan provides for the vacation of the Old South Avenue for use in a Redevelopment Project; and

WHEREAS, N.J.S.A. 40:11A-23(1)(c), 40A:12A-8f and 40:67-1 et seq. all permit the Borough to close and vacate its interest in streets where necessary for projects such as the Redevelopment Project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fanwood, New Jersey as follows:

Section 1. The Borough hereby vacates the portions of Old South Avenue as stated in the meets and bounds attached hereto as follows:

Exhibit A- Description of Existing Right of Way to Remain in Old South Avenue, Block 55.

Exhibit B- Description of Portion of Existing Right of Way to be Vacated located in Proposed Tax Lot 12.02 Block 55.

Exhibit C- Description of Portion of Existing Right of Way to be Vacated located in Proposed Tax Lot 12.01, Block 55.

Section 2. The Mayor, Borough Administrator, or Borough Chief Financial Officer, are hereby authorized and directed to take such steps and execute such documents as are necessary for the Borough to deed the vacated portions of the streets set forth above to the Redeveloper, the consideration for which shall be One Dollar (\$1.00), in a manner consistent with the provisions of this Ordinance and the Redevelopment Agreement.

Section 3. The Clerk of the Borough is hereby authorized and directed to: (i) publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and public hearing shall be made, pursuant to N.J.S.A. 40:49-6, at least ten (10) days prior to the public hearing and adoption hereof; and (ii) to mail, at least one week prior to the public hearing and adoption hereof, a copy of the notice referenced in subsection (i) hereof to every person whose lands may be affected by this Ordinance

Section 4. Within sixty (60) days after adoption of this ordinance, the Borough Clerk is authorized and directed to cause a certified copy of this ordinance to be filed with the office of the Union County Register.

AYES: Councilman Banks, Councilman Carter, Councilwoman Glaser, Councilwoman Mitchell, Councilwoman Walsh

NAYS: None

ABSENT: Councilwoman McElroy Barker,

ABSTENTIONS: None

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved that **Ordinance 20-21-S** be adopted on second reading and final passage. The motion carried on the following roll call vote:

A public hearing was held on **Ordinance 20-21-S**.

No one from the public spoke.

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved that **Ordinance 20-21-S** be adopted on second reading and final passage. The motion carried on the following roll call vote:

ORDINANCE NO. 20-21-S

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER
20-14-S FINALLY ADOPTED BY THE BOROUGH COUNCIL OF
THE BOROUGH OF FANWOOD, NEW JERSEY ON
SEPTEMBER 21, 2020**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey (the "Borough") entitled "Bond Ordinance Providing An Appropriation Of \$150,000 For Improvements to Forest Road Park In And By The Borough Of Fanwood In The County Of Union, New Jersey And, Authorizing The Issuance Of \$142,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation" finally adopted on September 21, 2020 (the "Ordinance") is hereby incorporated by reference in its entirety.

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

"The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Fanwood, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$150,000, such sum includes the sum of (a) \$40,000 expected to be received from a Union County Kids Recreation Grant and (b) \$7,500 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 provision in the Open Space, Recreation, Farmland and Historic Preservation Trust Fund."

(b) The Ordinance is hereby further amended by deleting the reference of \$150,000 for the appropriation and estimated cost and substituting in lieu therefor \$190,000.

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$142,500.

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

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

AYES: Councilman Carter, Councilwoman Glaser, Councilwoman McElroy Barker
Councilwoman Mitchell, Councilwoman Walsh

NAYS: None

ABSENT : Councilman Banks

ABSTENTIONS : None

Councilwoman Erin McElroy-Barker/Councilwoman Patricia Walsh moved **Ordinance 20-22-S**. Motion carried with 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.

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Banks

Councilwoman Erin McElroy-Barker/Councilwoman Katherine Mitchell moved **Ordinance 20-23-S**. Motion carried with the following roll call.

ORDINANCE NO. 20-23-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

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

Councilwoman Erin McElroy Barker/Councilwoman Patricia Walsh moved **Resolution 20-12-209**. Motion carried with the following roll call.

BOROUGH OF FANWOOD

RESOLUTION 20-12-209

RESOLUTION AUTHORIZING THE PURCHASE OF POLICE BODY CAMERAS, SOFTWARE AND TECHNICAL SUPPORT FOR THE FANWOOD POLICE DEPARTMENT

WHEREAS, in 2015 the Borough of Fanwood ("the Borough") entered into the Union County Prosecutor's ("County") program for body cameras and other equipment where the County purchased the first-year costs of the BWC system and as part of its participation the Borough agreed to accept the terms and conditions of that program; and

WHEREAS, the initial five (5) year participation in the BWC system and program has concluded and based on its experience with the equipment acquired through the County program, the Borough wishes to continue to use the equipment for its law enforcement needs; and

WHEREAS, there is a need to update the body camera equipment, software, licensing and evidence storage associated with the equipment's use; and

WHEREAS, as part of this effort, the Borough is in receipt of a proposal from Axon Enterprises, Inc. dated October 22, 2020 for the next five (5) years, this proposal includes:

1. Hardware consisting of body cameras, docking stations and cables;
2. Software subscription and access to cloud programs for evidence storage; and
3. Warranties and technical support for the equipment and computer programs

WHEREAS, the Borough wishes to act upon Axon Enterprises, Inc's October 22, 2020 proposal to acquire the necessary hardware, software and technical support to maintain the level of service and performance of its Police Department; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Fanwood, in the County of Union, State of New Jersey, authorize the Borough Administrator to enter into an agreement with Axon Enterprises, Inc. for the purchase of body cameras and related equipment and support and to appropriate funds for the first year of the Agreement for an amount not to exceed \$17,655.60; and

In accordance with the terms of this Resolution and the attached Notice approved by the Borough Attorney.

This Resolution shall take effect immediately

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved
Resolution 20-12-210. Motion carried with the following roll call.

BOROUGH OF FANWOOD

RESOLUTION 20-12-210

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 calendar year budget: and

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

FROM:

Clerk O&E	\$7,000.00	Finance S&W	\$5,000.00
Finance O&E	\$6,000.00	Communications	\$9,444.42
Health Waiver	\$2,157.84	Tax Assessor O&E	\$3,000.00

TO:

Traffic Lights	\$345.00	Dispatch O&E	\$1,017.87
Tax Collector O&E	\$500.00	Administration O&E	\$17,501.13
Tax Collector S&W	\$4,909.00	Fire Enfore S&W	\$1,500.00
Environmental S&W	\$128.26	Seniors S&W	\$1.00
Legal O&E	\$6,700.00		

This is to certify that the above is a true and exact copy of a resolution adopted by the Mayor and Council on December 7 2020.

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

Councilwoman Erin McElroy Barker/Councilwoman Patricia Walsh moved **Resolution 20-12-211**. Motion carried with the following roll call.

BOROUGH OF FANWOOD

RESOLUTION 20-12-211

RESOLUTION AUTHORIZING A FEASIBILITY STUDY OF THE BOROUGH'S EMERGENCY GENERATOR AT POLICE HEADQUARTERS

WHEREAS, the Borough of Fanwood ("the Borough") wishes to maintain its readiness and preparedness in the event of an emergency by ensuring that its equipment possesses sufficient capacity and is in good working order; and

WHEREAS, as part of this effort, the Borough wishes to have its emergency generator at the Fanwood Police Department reviewed and studied; and

WHEREAS, T&M Associates has submitted a proposal dated November 12, 2020 to perform a review of the Borough's emergency generator including, reviewing existing electrical usage, verifying the generator's capacity, reviewing the building's site plans and drawings as well as conducting an onsite inspection for the Borough's emergency generator and ultimately presenting its findings to the governing body for any appropriate action; and

WHEREAS, the Borough wishes to act upon T&M Associate's November 12, 2020 proposal to have its emergency generator reviewed and studied; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Fanwood, in the County of Union, State of New Jersey, authorize the Borough Administrator to enter into an agreement with T&M Associates to conduct a review and study of the Borough's emergency generator purchase for an amount not to exceed \$4,500.00; and

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved
Resolution 20-12-212. Motion carried with the following roll call.

Resolution 20-12-212

RESOLUTION APPROVING THE CERTIFICATION OF THE CHIEF FINANCIAL OFFICER AS TO THE DEFICIT IN OPERATIONS IN THE SEWER UTILITY FUN OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY PURSUANT TO N.J.S.A. 40A:4-53(m), AND APPROVING THE SUBMISSION OF AN APPLICATION TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES IN CONNECTION WITH THE PROPOSED FUNDING OF SUCH ANTICIPATED DEFICIT IN THE SEWER UTILITY FUND THROUGH A SPECIAL EMERGENCY APPROPRIATION OF THE BOROUGH

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, a copy of which has been presented to this meeting (the "Certification"), certifying that the deficit balance in the sewer utility fund anticipated 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, the Borough has introduced, or expects to introduce, an ordinance authorizing a special emergency appropriation in the amount of \$125,000 to provide for the funding of such anticipated operating deficit balance in the sewer utility fund (the "Ordinance"); and

WHEREAS, the Borough Council of the Borough now wishes to approve the Certification, together with the Borough's application to the Director seeking approval of the adoption of the Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY as follows:

SECTION 1. The Borough Council has reviewed, and hereby approves, the Certification as executed by the Chief Financial Officer and presented to this meeting.

SECTION 2. The Borough Council hereby approves the preparation and submission, on behalf of the Borough, of an application seeking approval of the adoption of the Ordinance and containing such other information and materials as may be required by the Director. The Borough's Business Administrator, Chief Financial Officer, the Borough Clerk and Bond Counsel, are hereby authorized and directed to take all actions necessary or useful and convenient in connection with the preparation and submission of said application, and to represent the Borough in all matters relating thereto.

SECTION 3. A copy of this resolution as adopted shall be filed with the Director.

SECTION 4. This resolution shall take effect immediately.

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

Councilwoman Erin McElroy Barker/Councilwoman Patricia Walsh moved **Resolution 20-12-213**. Motion carried with the following roll call.

RESOLUTION 20-12-213

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 **2020** in the sum of **\$1,200.00** which is now available from the **Union County History Grant Program** in the amount of **\$1.00,200**

BE IT FURTHER RESOLVED, that the like sum of **\$1,200.00** is hereby appropriated under the caption **Union County History Grant Program**, and

BE IT FURTHER RESOLVED that the above is the result of funds from the **County of Union** in the amount of **\$1,200.00**

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved **Resolution 20-12-214**. Motion carried with the following roll call.

BOROUGH OF FANWOOD 20-12-214

GARDEN STATE MUNICIPAL JOINT INSURANCE FUND INDEMNITY AND TRUST AGREEMENT TO REJOIN

WHEREAS, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (40A:10-36); and

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

WHEREAS, the Governing Body of the Borough of **Fanwood**, has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the "Fund") is in the best interests of itself and its citizens; and

WHEREAS, the Governing Body of the Borough of **Fanwood**, has previously executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of **Fanwood** (hereinafter referred to as the "Municipality") does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years beginning January 1, 2021 to December 31, 2023 for the purpose of establishing the following types of coverage:

- Workers' Compensation and Employer's Liability;
- General Liability including law enforcement and public official's liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle);

BE IT FURTHER RESOLVED, that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

AYES: Councilman Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

Councilwoman Erin McElroy Barker/Councilwoman Katherine Mitchell moved
Resolution 20-12-215. Motion carried with the following roll call.

BOROUGH OF FANWOOD
COUNTY OF UNION, STATE OF NEW JERSEY
RESOLUTION No. 2020-12-215

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 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 \$4,324.40 for the period of February 2, 2020 through December 15, 2020.

Borough of Fanwood, in the County of Union, New Jersey that the Mayor/Borough Clerk 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

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Fanwood, in the County of Union, New Jersey that the Borough 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 Anthony Carter, Councilwoman Francine Glaser, Councilwoman Erin McElroy Barker, Councilwoman Katherine Mitchell, Councilwoman Patricia Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Councilman Jeffrey Banks

PRIVILEGE OF THE FLOOR BY THE PUBLIC

Councilwoman Erin McElroy-Barker/Councilwoman Katherine Banks moved to open the meeting to the public. Motion carried.

No one spoke.

Councilwoman Katherine Mitchell/Councilwoman Patricia Walsh moved to close the meeting to the public. Motion carried.

ADJOURNMENT

Councilwoman Katherine Mitchell/Councilwoman Francine Glaser moved to adjourn at 7:22 pm. Motion carried.

Respectfully submitted,

Kathleen Holmes
Borough Clerk