



**BOROUGH OF FANWOOD
UNION COUNTY, NEW JERSEY
MAYOR AND BOROUGH COUNCIL**

**REGULAR MEETING
August 16, 2021 ~ 7:00 P.M.**

I. OPEN PUBLIC MEETING STATEMENT

This Meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Times, Westfield, New Jersey, the Courier News, Bridgewater, New Jersey, the Star Ledger, Newark, New Jersey, and the Alternate Press (TAP Into.net). In addition, copies of notice were posted on the bulletin board in the Municipal Building and filed in the Office of the Borough Clerk. Notices on the bulletin board have remained continuously posted. Proper notice having been given the Borough Clerk is directed to include this statement in the minutes of this meeting.

II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

III. ROLL CALL

Council President Anthony Carter, Jeffrey Banks, Francine Glaser, Erin McElroy Barker, Katherine Mitchell, Patricia Walsh, Mayor Colleen Mahr

IV. PRESENTATIONS, APPOINTMENTS, ANNOUNCEMENTS, DISCUSSION

a. None

V. CORRESPONDENCE, COMMUNICATIONS

a. Correspondence from the City of Plainfield regarding an Ordinance Authorizing the siting of certain Cannabis related businesses within the City.

VI. PRIVILEGE OF THE FLOOR BY THE PUBLIC

Comments on agenda items only, excluding Ordinances scheduled for public hearing; five minutes per speaker.

VII. MINUTES

July 2, 2021	Work Session Meeting
July 19, 2021	Regular Meeting
July 28, 2021	Special Meeting

VIII. CONSENT AGENDA

All items considered routine by the Governing Body will be enacted by one motion.

2021-08-174 (A&F)	Resolution Authorizing the Payment of Bills and Vouchers MOTION - Administration and Finance: Councilmember Erin McElroy Barker
2021-08-175 (A&F)	Resolution Authorizing an Emergency Temporary Appropriation MOTION - Administration and Finance: Councilmember Erin McElroy Barker
2021-08-176 (A&F)	Resolution Authorizing the Cancellation of Current Fund Temporary Emergency Appropriations. MOTION - Administration and Finance: Councilmember Erin McElroy Barker

2021-08-177 (A&F)	Resolution Authorizing the Cancellation of Temporary Emergency Appropriations for Retirement Pay. MOTION – Administration and Finance: Councilmember Erin McElroy Barker
2021-08-178 (A&F)	Resolution Authorizing the Land Transfer/Sale to UCIA and Authorizing the Clerk to sign the Deed MOTION – Administration and Finance: Councilmember Erin McElroy Barker
2021-08-179 (A&F)	Resolution Renewing membership in the Morris County Cooperative Pricing Council MOTION – Administration and Finance: Councilmember Erin McElroy Barker
2021-08-180 (PUB SAFE)	Resolution Accepting a Vehicle Donation from the County of Union for the Police Department MOTION – Public Safety: Councilmember Patricia Walsh
2021-08-181 (PUB SAFE)	Resolution Appointing Michael Bramhall as Police Director, effective August 23, 2021. MOTION – Public Safety: Councilmember Patricia Walsh

IX. RESOLUTIONS:

2021-08-182 (A&F)	Resolution Authorizing a Social Affairs Permit for Farwood Volunteer Fire Department Family Picnic on September 11, 2021 – between the hours of 11:00 am to 8:00 pm with a rain date of September 18, 2021. MOTION – Administration and Finance: Councilmember Erin McElroy Barker
2021-08-183 (A&F)	Resolution Authorizing a Catering Permit for Sheelen's Crossing on September 11, 2021 – between the hours of 11:00 am to 7:00 pm. MOTION – Administration and Finance: Councilmember Erin McElroy Barker
2021-08-184 (A&F)	Resolution Authorizing Payment No. 1 to Stilo Excavating for work completed through July 29, 2021 in the amount of \$576,459.74 for the 2020 various street project. MOTION – Administration & Finance: Councilmember Erin McElroy-Barker
2021-08-185 (A&F)	Resolution Awarding a Bid to Improve and Pave Gere Place & Morse Avenue and Other Locations within the Borough to Stilo Excavating for an amount not to exceed \$535,966.77 MOTION - Administration & Finance: Councilmember Erin McElroy-Barker
2021-08-186 (A&F)	Resolution Authorizing the Borough to waive the Estoppel period of Ordinance O-2021-17-S (Amending Chapter 67 to Provide for Special Law Enforcement Officers (Class II) MOTION – Administration & Finance: Councilmember Erin McElroy-Barker
2021-08-187 (A&F)	Resolution Appointing Patricia Celardo as Chief Financial Officer, effective October 1, 2021 MOTION – Administration & Finance: Councilmember Erin McElroy-Barker
2021-08-188 (A&F)	Resolution Authorizing the Appointment of Emma J. Walden as Part-time Deputy Court Administrator effective August 17, 2021 MOTION: Administration & Finance: Councilmember Erin McElroy-Barker
2021-08-189 (A&F)	Resolution Authorizing the Borough to join the BuyBoard National Purchasing Cooperative at no cost to the Borough. MOTION – Administration & Finance: Councilmember Erin McElroy-Barker
2021-08-190 (PUB WORKS)	Resolution Authorizing Mayor & Clerk to sign a Memorandum of Understanding and an Indemnification Agreement as a requirement to use the Union County Conservation Center for leaf composting. MOTION - Public Works: Councilmember Francine Glaser

2021-08-191 (PUB SAFETY)	Resolution Appointing Jack Ross as Special Law Enforcement Officer of the Fanwood Police Department, effective immediately. Motion - Public Safety: Councilmember Patricia Walsh
2021-08-192 (PUB SAFETY)	Resolution implementing increases as per the Collective Bargaining Agreement with the Fanwood Police Department (Ransom/Hoffman) MOTION - Public Safety: Councilmember Patricia Walsh

X. ORDINANCES – SECOND READING, PUBLIC HEARING

O-2021-17-R (PUB SAFETY)	Ordinance Of the Borough of Fanwood, County of Union and State of New Jersey, Amending Chapter 67 to Provide for Special Law Enforcement Officers (Class II) MOTION – Public Safety Committee: Councilmember Patricia Walsh
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XI. ORDINANCES – FIRST READING, INTRODUCTION

O-2021-19-S (A&F)	Ordinance Amending the Salary Ordinance MOTION – Administration and Finance: Councilmember Erin McElroy-Barker
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I. UNFINISHED BUSINESS

- Reports**
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| 1. Administration and Finance
(TAX COLLECTOR REPORT) | Councilmember Erin McElroy Barker |
| 2. Municipal Court | Cathy Frank, Municipal Court Administrator |
| 3. Public Safety | Councilmember Patricia Walsh |
| 4. Public Works | Councilmember Francine Glaser |
| 5. Department of Public Works | Clinton H. Dickson, Director |
| 6. Engineering | Antonios Panagopoulos, T&M Associates |
| 7. Construction/ Building Department | Frank Spallone, Construction Official |
| 8. Land Use & Historic Preservation | Councilmember Jeffrey Banks |
| 9. Fanwood Memorial Library | Dan Weiss, Director |
| 10. Recreation and Community Services | Council President Anthony Carter |
| 11. Health and Senior Citizens Services | Councilmember Katherine Mitchell |
| 12. Executive Projects & Appointments | Mayor Colleen Mahr |
| 13. Downtown Redevelopment / Economic Development | Elizabeth Jeffery, Director |

XIII. NEW BUSINESS
None

XIV. PRIVILEGE OF THE FLOOR BY THE PUBLIC
General comments on any item; five minutes per speaker

XV. MAYOR AND COUNCIL COMMENTS
Council President Anthony Carter, Jeffrey Banks, Francine Glaser, Erin McElroy Barker, Katherine Mitchell, Patricia Walsh, Mayor Colleen Mahr

XVI. ADJOURNMENT

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-07-174

ADOPTED:

RESOLUTION AUTHORIZING THE PAYMENT OF CLAIMS

WHEREAS, the Borough of Fanwood ("Borough") is in receipt of various vouchers and bills for payment due from the Borough of various vendors in the amount of \$4,031,471.96; and

WHEREAS, the vouchers and bills have been presented by the Chief Financial Officer; and

WHEREAS, the Council Committee Chairpersons have approved without objection payment of the aforementioned vouchers and bills.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood, in the County of Union and State of New Jersey does hereby authorized the payment of claims included on the July 19, 2021 bill list in the amount of \$4,031,471.96.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall make payments and shall record them in proper books of account, upon receipt of a resolution from the Mayor and Council, attested to by the Borough Clerk.

BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY

RESOLUTION: 2021-08-175	ADOPTED:
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RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergent condition has arisen in that the Borough of Fanwood is expected to enter into contracts, commitments or payments prior to the CY 2021 Budget and no adequate provision has been made in the CY 2021 temporary budget for the afore said purposes, and

WHEREAS, N.J.S.A.: 40-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year CY 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$7,121,991.08

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood, in the County of Union and State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

Emergency temporary appropriation is and the same are hereby made in the amount of \$734,710.00 as follows:

Salary & Wage:			
Finance S&W	\$15,000.00	Tax Assessor S&W	\$3,000.00
Police S&W	\$300,000.00	Fire Enforcement S&W	\$4,000.00
Prosecutor S&W	\$2,000.00	Road Repair S&W	\$75,000.00
Sanitation S&W	\$1,000.00	Senior Citizen S&W	\$2,000.00
Court S&W	\$15,000.00	Engineer S&W	\$30,000.00
Environmental S&W	\$1,000.00		
Operations:			
Clerk O&E	\$5,000.00	Utilities	\$25,000.00
Tax Assessor O&E	\$1,000.00	Library O&E	\$100,000.00
DCRP	\$500.00	Fire Enforcement O&E	\$5,210.00
Hydrants	\$30,000.00	Street Lights	\$20,000.00
Group Insurance	\$100,000.00		

**BOROUGH OF FANWOOD
COUNTY OF UNION**

RESOLUTION 21-08-176

ADOPTED:

**AUTHORIZING THE CANCELLATION OF CURRENT FUND TEMPORARY
EMERGENCY APPROPRIATIONS**

WHEREAS, the following Current Fund Temporary Emergency Appropriation balances need to be cancelled:

PERS – Retroactive \$3,735.94
NJ Transit-Contractual \$500.00
Engineering O&E \$6,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances need not be raised in the 2021 Current Fund Budget;

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 above listed unexpended balances of the Current Fund be canceled.

Resolution No. 21-08-
Offered by
Adopted:

Seconded by

I, Kathleen Holmes, Municipal Clerk of the Borough of Fanwood in the County of Union in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fanwood in the County of Union in the State of New Jersey.

Kathleen Holmes
Borough Clerk

Frederick J. Tomkins
Chief Financial Officer

**BOROUGH OF FANWOOD
COUNTY OF UNION**

RESOLUTION 21-08-177	ADOPTED:
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**AUTHORIZING THE CANCELLATION OF CURRENT FUND TEMPORARY
EMERGENCY APPROPRIATIONS FOR RETIREMENT PAY**

WHEREAS, the following Current Fund Special Emergency Appropriation balance remains unexpended:

Borough of Fanwood Retirement Pay \$3,625.28

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances need not be raised in the 2021 Current Fund Budget;

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 above listed unexpended balances of the Current Fund be canceled.

Resolution No. 21-08-177
Offered by
Adopted:

Seconded by

I, Kathleen Holmes, Municipal Clerk of the Borough of Fanwood in the County of Union in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Borough of Fanwood in the County of Union in the State of New Jersey.

Kathleen Holmes
Borough Clerk

Frederick J. Tomkins
Chief Financial Officer

BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY

RESOLUTION: 2021-08-178

ADOPTED:

RESOLUTION AUTHORIZING THE BOROUGH OF FANWOOD TO DELIVER WRITTEN INSTRUMENTS TO CONVEY THE RECYCLING CENTER TO THE UNION COUNTY IMPROVEMENT AUTHORITY FOR THE FANWOOD PUBLIC WORKS FACILITY PROJECT

WHEREAS, the Borough of Fanwood (“the Borough”) has determined that it is in need of a new Public Works Facility to carry out its mission in providing public works and related operations for the Borough; and

WHEREAS, the Borough has requested that the Fanwood Public Works Facility Project (“the Project”) be financed by the Union County Improvement Authority (“the Authority”) and the Authority expects to obtain funds to finance the Project through the issuance of Notes/Bonds pursuant to a Bond Resolution adopted by the Authority on July 14, 2021; and

WHEREAS, the Borough enacted Ordinance O-2021-15-S which authorized the Borough to deliver certain documents agreements (“Agreement”) as part of this arrangement with the Authority and has guaranteed payment of the issued Bonds/Notes by enacting Ordinance O-2021-16-S; and

WHEREAS, as part of the Borough’s obligations under Ordinance-2021-15-S and Ordinance 2021-16-S, the Agreement and overall arrangement with the Authority is to convey site upon which the Project will be located to the Authority so that site planning, design and construction of a new Fanwood Public Works Facility can take place; and

WHEREAS, the Borough and the Authority have determined that this arrangement is in the best interests of the public and are desirous of implementing their Agreement to finance and construct the Project; and

THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fanwood hereby authorize the Fanwood Borough Clerk to execute a deed prepared by the Borough Attorney conveying the site upon which the Project will be located namely, 536 North Avenue, Fanwood, New Jersey, Block 68, Lot 31 to the Authority and any other ancillary documents to effectuate the transfer;

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 August 16, 2021.

Kathleen Holmes,
Borough Clerk

**BOROUGH OF FANWOOD
COUNTY OF UNION**

RESOLUTION: 2021-08-179	ADOPTED:
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**AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY
COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR
THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2026**

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of education, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Borough of Fanwood desires to enter into an Agreement with MCCPC, which is administered by Randolph Township as Lead Agency, to renew its membership in the MCCPC for the period of October 1, 2021 through September 30, 2026.

BE IT RESOLVED, by the Borough of Fanwood, County of Union, State of New Jersey as follows:

1. The Mayor and Council of the Borough of Fanwood of the County of Union, State of New Jersey hereby authorizes the execution of the Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2021, pursuant to N.J.S.A 40A:11-11(5). Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2021 through September 30, 2026.

2. The Borough of Fanwood Clerk is hereby directed to submit a copy of this adopted Resolution, along with executed Agreement to Randolph Township as Lead Agency of the MCCPC.

3. This Resolution shall take effect immediately upon final passage according to law.

4. All appropriate Borough of Fanwood officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on September 16, 2021.

BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY

RESOLUTION: 2021-08-180	ADOPTED:
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RESOLUTION ACCEPTING DONATION OF A FROM THE COUNTY OF UNION

WHEREAS, the Borough of Fanwood is authorized to accept and maintain donations of real and personal property pursuant to New Jersey Statute 40:12-29; and

WHEREAS, the Mayor and Council finds it is appropriate to accept a donation per the Letter of Intent from Christopher J. Meehan, Union County Director of Vehicles of the following:

One (1) 1998 GMC K3500 4WD Rack Body Cab & Chassis
VIN: 1GDJK34R1WF039531
Approximate Mileage 55,000

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

1. The donation described above is accepted and shall be used as allowed by law.
2. The Mayor, or Administrator as designee, and Clerk of the Borough of Fanwood are hereby authorized to execute any documents necessary for this gift.

BE IT FURTHER RESOLVED this resolution shall take effect immediately.

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-01-181	ADOPTED:
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**RESOLUTION APPOINTING MICHAEL J. BRAMHALL AS DIRECTOR OF THE
FANWOOD POLICE DEPARTMENT**

WHEREAS, the Borough of Fanwood (“Borough”) wishes to appoint an individual with significant law enforcement experience to lead its Police Department; and

WHEREAS, the Borough has enacted an ordinance creating the position of Police Director which is charged with exercising the powers, functions and duties of the Police Department and leading its dedicated officers; and

WHEREAS, the Borough has conducted a thorough search process and has identified Michael J. Bramhall as the successful candidate and the individual capable of fulfilling the duties of Police Director; and

WHEREAS, the governing body is desirous of engaging the services of the successful candidate to perform the services reflected in its ordinance; and

NOW, THEREFORE BE IT RESOLVED, the Mayor & Council of the Borough of Fanwood, hereby appoint Michael J. Bramhall to the position of Police Director for an annual salary of \$125,000.00 and authorize the Mayor to execute an Agreement with the candidate for the position which is contingent on the candidate’s satisfactory completion of a background and reference review; and

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on August 16, 2021.

Kathleen Holmes,
Borough Clerk

**BOROUGH OF FANWOOD
COUNTY OF UNION**

RESOLUTION 21-08-182	ADOPTED:
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WHEREAS, Fanwood Volunteer Fire Company has requested permission to utilize the Borough property, specifically Back Parking Lot of the Municipal Building, (“Property”), on Saturday, September 11, 2021, commencing at 11:00 a.m., and ending at 8:00 p.m., for the purpose of conducting an “Fire Company Picnic” event including the sale of food, and wine;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood that permission is granted to Fanwood Fire Company to utilize the Property to conduct an “Fire Company Picnic” event on Saturday, September 11, 2021, commencing at 11 a.m., and ending at 8:00 p.m., subject to the following conditions:

1. Food may be distributed and/or sold provided Fanwood Fire Company receives the necessary approvals from the Regional Board of Health.
2. Beer and wine may be served on the Property so long as Fanwood Fire Company complies with all requirements of the State and local alcoholic beverage laws and obtains from the State the required permit for such an event.
3. The consumers with their beverages are not permitted outside of the designated area and the consumers will be tagged for identification.
4. A tent may be installed on the Property.
5. Fanwood Fire Company must restore the Property to its current condition on Saturday, September 11, 2021.

BE IT FURTHER RESOLVED THAT a copy of this Resolution shall be transmitted to Fanwood Fire Company and the Director of Police of the Borough.

This is to certify that the above is a true and exact copy of a resolution adopted by the Borough Council on September 11, 2021.

Kathleen Holmes, Borough Clerk

**BOROUGH OF FANWOOD
COUNTY OF UNION**

RESOLUTION 21-08-183	ADOPTED:
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WHEREAS, Sheelen’s Crossing has requested permission to utilize the Borough property, specifically LaGrande Park, (“Property”), on Saturday, September 11, 2021, commencing at 11 a.m., and ending at 7:00 p.m., for the purpose of conducting an “FanJam” event including the sale of food, beer, wine, to which the public is invited;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood that permission is granted to Sheelen’s Crossing to utilize the Property to conduct an “FanJam” event on Saturday, September 11, 2021, commencing at 11 a.m., and ending at 7:00 p.m., subject to the following conditions:

1. Food may be distributed and/or sold provided Sheelen’s Crossing receives the necessary approvals from the Regional Board of Health.
2. Liquor, beer and wine may be served on the Property so long as Sheelen’s Crossing complies with all requirements of the State and local alcoholic beverage laws and obtains from the State the required permit for such an event.
3. The consumers with their beverages are not permitted outside of the fenced in area and the consumers will be tagged for identification.
4. A tent may be installed on the Property.
5. Sheelen’s Crossing must restore the Property to its current condition on Sunday, April 28, 2019.
6. A copy of Sheelen’s Crossing general commercial liability policy shall be provided to the Borough on or before September 10, 2021 in the amount of \$2,000,000.00 with the Borough of Fanwood named as an additional insured.
7. Adequate police presence shall be provided by Sheelen’s Crossing, at its sole cost in accordance with the Borough Code, in a number reasonably determined by the Borough’s Chief of Police to be required during all times when the general public will be permitted on the Property on September 11, 2021.

8. A fee of \$100 shall be paid to the Borough by Sheelen's Crossing to cover all miscellaneous costs that may be incurred by the Borough, exclusive of the police presence.

BE IT FURTHER RESOLVED THAT a copy of this Resolution shall be transmitted to Sheelen's Crossing and the Director of Police of the Borough.

This is to certify that the above is a true and exact copy of a resolution adopted by the Borough Council on September 11, 2021.

Kathleen Holmes
Borough Clerk

We agree that in order to go forward with the "FanJam" Celebration on Borough property, on September 11, 2021, we will conform with all of the requirements of this resolution.

Sheelen's Crossing Inc.

Date: _____

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-08-184	ADOPTED:
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**RESOLUTION AUTHORIZING CONTRACTOR PARTIAL PAYMENT FOR WORK
COMPLETED ON BOROUGH'S VARIOUS STREETS - 2020 PROJECT**

WHEREAS, the Mayor and Council ("the Borough") continues to reconstruct and improve its infrastructure needs for the benefit of its citizens' use; and

WHEREAS, the Borough has previously awarded through the local public contracts law, *N.J.S.A. 40A: 11-1 et. seq.* and *N.J.A.C. 5:34 et seq.*, and engaged the services of Stilo Excavating 2907 S. Clinton Ave., South Plainfield, New Jersey 07080 to perform the reconstruction of this project; and

WHEREAS, the Borough is in receipt of a request from the Borough Engineer for Stilo Excavating to be partially paid for completed work to date on the project; and

WHEREAS, the Borough Engineer has inspected and verified the performance of the work done by Stilo Excavating; and

WHEREAS, the Borough has the funds available for the payment to Stilo Excavating at this time; and

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council hereby authorize the amount of \$576,459.74 to be paid to Stilo Excavating, 2907 S. Clinton Ave., South Plainfield, New Jersey 07080 based upon completed work to date on the project entitled "Various Streets -2020- Fanwood;" and

Based upon the Borough Attorney's review of the documents submitted in connection with performance of the contract; and

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 expenditure as well as the certification of the Borough Engineer.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on August 16, 2021.

Kathleen Holmes,
Borough Clerk

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-08-185

ADOPTED:

RESOLUTION AWARDING A BID TO IMPROVE AND PAVE GERE PLACE, MORSE AVENUE & OTHER LOCATIONS WITHIN THE BOROUGH

WHEREAS, the Mayor and Council (“the Borough”) have previously determined that Gere Place, Morse Avenue, Sheelan’s Crossing and areas of LaGrande Park (“the project”) are in need of resurfacing, reconstruction and improvement for the Borough’s infrastructure needs and its citizens’ use; and

WHEREAS, the Borough authorized its Engineer to submit a grant application to the New Jersey Department of Transportation and the Borough has received a grant of \$400,000 to offset the cost of reconstructing and completing this project; and

WHEREAS, the Borough solicited bids for purposes of awarding a contract to improve, reconstruct and pave Gere Place, Morse Avenue and resurfacing of Sheelan’s Crossing and parts of LaGrande Park pursuant to the local public contracts law, *N.J.S.A. 40A: 11-1 et. seq.* and *N.J.A.C. 5:34 et seq.*,

WHEREAS, the Borough received and reviewed bids for this purpose and based on the review of the Borough Purchasing Agent, the Borough Engineer, and the Borough Attorney the lowest bidder, satisfying all legal requirements of the local public contracts law is Stilo Excavating of South Plainfield, New Jersey and therefore recommends the award; and

WHEREAS, the Borough wishes to engage the services of Stilo Excavating 2907 S. Clinton Ave., South Plainfield, New Jersey 07080 to perform the improvements and construction of this project in accordance with its goals based on the recommendation of award; and

WHEREAS, the Borough has the funds available for the payment to Stilo Excavating; and

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council hereby authorize the bid award to Stilo Excavating, 2907 S. Clinton Ave., South Plainfield, New Jersey 07080 based upon its bid of \$535,966.77; and

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 expenditure.

This award is contingent to concurrence by the New Jersey Department of Transportation.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on August 16, 2020.

Kathleen Holmes,
Borough Clerk

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-08-186

ADOPTED:

**RESOLUTION WAIVING THE ESTOPPEL PERIOD FOR
ORDINANCE 2021-17-S**

WHEREAS, New Jersey law under *N.J.S.A.* 40:69A-181 permits a governing body by two thirds vote to waive the twenty day (20) estoppel period prior to an ordinance taking effect when it determines the ordinance is needed on an emergency basis;

WHEREAS, the Borough of Fanwood Ordinance entitled “ An Ordinance of the Borough of Fanwood, County of Union, and the State of New Jersey Amending Chapter 67 to provide for Special Law Enforcement Officers” was passed on first reading on July 19, 2021 and on second reading by an affirmative vote of the Borough Council on August 2, 2021; and

WHEREAS, the Ordinance would designate an special law enforcement officers to be deployed by the officer in charge of the Police Department to supplement and augment personnel when deemed necessary; and

WHEREAS, the governing body has deemed it necessary to provide for the use of special law enforcement officers to assist the personnel needs of the Police Department to insure public safety; and

THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fanwood hereby waives the estoppel period for the ordinance amending Chapter 67 by a two thirds vote providing for the use of special law enforcement officers by the Fanwood Police Department.

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 August 16, 2021.

Kathleen Holmes,
Borough Clerk

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-08-187	ADOPTED:
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**AUTHORIZING THE APPOINTMENT OF PATRICIA CELARDO
AS CHIEF FINANCIAL OFFICER**

WHEREAS, Fredrick J. Tomkins, Chief Financial Officer, is retiring on October 1, 2021; and

WHEREAS, N.J.S.A. 40A:9-140.10 requires that "in every municipality there shall be a chief financial officer appointed by the governing body of the municipality"; and

WHEREAS, N.J.S.A. 40A:9-140.10, further provides that the term of office of the chief financial officer "shall be four years, which shall run from January 1 in year the chief financial officer is appointed"; and

WHEREAS, the Borough of Fanwood will need a Chief Financial Officer pursuant to N.J.S.A. 40A:9-140-10, and Mayor Colleen Mahr has nominated Patricia Celardo as Chief Financial Officer; and

WHEREAS, it is the desire of the Borough Council to confirm this nomination.

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

1. Patricia Celardo is hereby appointed to the position of Chief Financial Officer at a salary of \$100,000.00 with such other benefits as are provided to Borough employees.
2. The appointment shall be for a four-year term, effective October 1, 2021, in accordance with law.
3. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the NJ Director of the Division of Local Government Services, Borough's Administrator and Finance Department.

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-08-188

ADOPTED:

**RESOLUTION AUTHORIZING THE APPOINTMENT OF A
PART-TIME DEPUTY MUNICIPAL COURT ADMINISTRATOR**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood, in the County of Union and State of New Jersey that that Emma J. Walden be and is hereby appointed as the part-time deputy municipal court administrator in the Fanwood Municipal Court at a salary of \$22 per hour in accordance with law and said appointment being effective August 17, 2021.

BOROUGH OF FANWOOD, COUNTY OF UNION

RESOLUTION: 2021-08-189

ADOPTED:

RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the BuyBoard National Purchasing Cooperative, 12007 Research Boulevard, Austin, Texas 78759, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on August 16, 2021 the governing body of the Borough of Fanwood, County of Union, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Fanwood, County of Union, State of New Jersey.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor or Borough Administrator or designee is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage on August 16, 2021.

CERTIFICATION

**BOROUGH OF FANWOOD
COUNTY OF UNION**

RESOLUTION: 2021-08-190

ADOPTED:

**AUTHORIZING MAYOR AND CLERK TO SIGN A MEMORANDUM OF
UNDERSTANDING AND AN INDEMNIFICATION AGREEMENT AS A
REQUIREMENT TO USE THE UNION COUNTY CONSERVATION CENTER FOR
LEAF COMPOSTING**

WHEREAS, the Borough of Fanwood wishes to participate in Union County's program for leaf composting at its Conservation Center in 2021.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Mayor and Clerk are hereby authorized to sign a Memorandum of Understanding and an Indemnification Agreement attached hereto with the County of Union as a requirement to use its facility.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Union Division of Public Works and Fanwood's Director of Public Works.

This is to certify that the above is a true and exact copy of a resolution adopted by the Borough Council on August 16, 2021.

Kathleen Holmes
Borough Clerk

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-08-191

ADOPTED:

**RESOLUTION APPOINTING JACK ROSS AS A SPECIAL LAW ENFORCEMENT OFFICER
OF THE FANWOOD POLICE DEPARTMENT**

WHEREAS, the governing body has deemed it necessary to provide for the use of special law enforcement officers to assist the personnel needs of the Police Department to ensure public safety; and

WHEREAS, the governing body enacted an ordinance amending Chapter 67 to provide for Special Law Enforcement Officers and waived the estoppel period pursuant to for the law to take immediate effect; and

WHEREAS, the governing body has identified an appropriate individual to serve in this role; and

THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fanwood hereby appoint Jack Ross as a special law enforcement officer class II of the Fanwood Police Department.

This resolution shall take effect immediately.

The Clerk shall notify the Fanwood Police Department and the Payroll Clerk of this appointment.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council August 16, 2021.

Kathleen Holmes,
Borough Clerk

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

RESOLUTION: 2021-08-192	ADOPTED:
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**A RESOLUTION IMPLEMENTING INCREASES AS PER THE COLLECTIVE
BARGAINING AGREEMENT WITH FOR THE FANWOOD POLICE DEPARTMENT**

WHEREAS, the governing body wishes to implement the step increases for eligible members of the Fanwood Police Department previously negotiated and part of the collective bargaining agreement with the Fanwood PBA for the year 2021;

NOW, THEREFORE BE IT RESOLVED the following eligible individuals' compensation shall be adjusted to reflect the indicated amount on the effective date specified:

<u>Name</u>	<u>Step</u>	<u>Effective</u>
Kimara Ransom	Patrolman G	September 8, 2021
Sean Hoffman	Probationary A	September 16, 2021

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

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the payroll clerk so that each individual referenced herein may have their compensation adjusted accordingly.

This is to certify that the above is a true copy of a resolution adopted by the Borough Council on September 16, 2021.

**BOROUGH OF FANWOOD,
UNION COUNTY, NEW JERSEY**

ORDINANCE: 2021-17-R

**AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION,
AND STATE OF NEW JERSEY, AMENDING CHAPTER 67 TO PROVIDE FOR
SPECIAL LAW ENFORCEMENT OFFICERS**

WHEREAS, the Borough of Fanwood (“the Borough”), wishes to determine the appropriate ranks and personnel within the Fanwood Police Department; and

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

Section 67-8 is hereby amended as follows:

E. Special Law Enforcement Officers pursuant to the meaning and definition of “the Special Law Enforcement Act, *N.J.S.A.* 40A: 14-146.8 *et. seq.*”, as amended, may be appointed by the governing body for a term not exceeding one (1) year and shall be under the direction of the Police Director, Chief of Police, or Officer In Charge as the case may be to perform law enforcement functions of the Department, provided that such officers have satisfied such requirements of the New Jersey Police Training Commission in accordance with *N.J.S.A.* 40A:14-146.11. Special Law Enforcement Officers shall possess and exercise all the powers and duties authorized by statute and permitted by law during their term in office. The Director, the Chief of Police, or Officer In Charge may authorize special law enforcement officers, when on duty, to exercise the same powers and authority as regular members of the Police Department, when on duty. The following classes of special law enforcement officers are authorized:

(1) Class One (SLEO I). Officers of this class shall be authorized to perform routine traffic detail, spectator control, and similar duties. Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances, and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited and a Class One officer shall not be assigned any duties which may require the carrying or use of a firearm;

(2) Class Two (SLEO II). Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the commission, and may only possess the firearm when on-duty;

(3) Class Three (SLEO III). Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer while providing security at a public or nonpublic school or a county college on the school or college premises during hours when the public or nonpublic school or county college is normally in session or when it is occupied by public or nonpublic school or county college students or their teachers or professors. While on duty in the jurisdiction of employment, an officer may respond to offenses or emergencies off school or college grounds if they occur in the officer's presence while traveling to a school facility or county college, but an officer shall not otherwise be dispatched or dedicated to any assignment off school or college property;

(4) The powers, rights and duties of any special officer shall immediately cease at the expiration of the term for which they were appointed or upon the revocation of their appointment. The Mayor shall have the power to call upon special officers in cases of emergency or for any special duties and shall have the authority to appoint additional special or temporary officers in cases of emergency. Every special officer shall be fingerprinted and his/her fingerprints shall be filed with the Division of State Police and Federal Bureau of Investigation. The rate of compensation to be paid for services of special police officers shall be fixed by the governing body, from time to time, by ordinance or resolution pursuant to the Borough Code;

(5) The total number of Special Law Enforcement Officers shall not exceed twenty five percent (25%) of the Department

(6) Any individual appointed by the governing body to serve as a Special Law Enforcement Officer under this section shall not be considered as regular members of the Police Department and shall not be entitled to tenure in accordance with *N.J.S.A 40A:14-146.14*.

BE IT FURTHER ORDAINED this section of 67-8 shall take effect as provided by law.

Introduced:

Adopted:

Colleen Mahr, Mayor

Attest: _____

Kathleen Holmes, Clerk

BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY

ORDINANCE: O-2021-19-S

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 86, SALARIES AND COMPENSATION, AND CHAPTER 67, POLICE DEPARTMENT, OF THE CODE OF THE BOROUGH OF FANWOOD

BE IT ORDAINED by the Council of the Borough of Fanwood in the County of Union:

1. The schedules of positions and salaries of Borough officers and employees heretofore adopted pursuant to Section I of Chapter 86 and Section 7A of Chapter 67 of the Code of the Borough of Fanwood.
2. The following schedule of positions and salaries of Borough officers and employees is hereby adopted pursuant to Section I of Chapter 86 and Section 7A of Chapter 67 of the Code of the Borough of Fanwood.

POSITION	SALARY RANGE			HOUR/YEAR
Magistrate	20,000	-	35,000	Per Year
Prosecutor	20,000	-	35,000	Per Year
Public Defender	4,000	-	10,000	Per Year
Court Administrator	40,000	-	80,000	Per Year
Deputy Court Administrator (Part-Time)	15	-	25	Per Hour
Deputy Court Administrator (Full-Time)	30,000	-	60,000	Per Year
Violations Clerk (Part-Time)	15	-	25	Per Hour
Violations Clerk (Full-Time)	25,000	-	50,000	Per Year
Court Clerk (Part-Time)	15	-	25	Per Hour
Court Clerk (Full-Time)	25,000	-	50,000	Per Year
Borough Administrator	100,000	-	150,000	Per Year
Borough Clerk	75,000		100,000	Per Year
Deputy Borough Clerk	2,000	-	5,000	Per Year
Chief Financial Officer/Treasurer	75,000	-	125,000	Per Year
Deputy Borough Administrator	15,000	-	25,000	Per Year
Assistant Treasurer	3,000	-	5,000	Per Year
Bookkeeper	40,000	-	80,000	Per Year
Tax Collector	40,000	-	80,000	Per Year
Payroll Supervisor	3,000	-	7,000	Per Year
Tax Assessor	15,000	-	25,000	Per Year
Senior Coordinator	3,000	-	7,000	Per Year
Planning Board Secretary /Finance Clerk	30,000	-	50,000	Per Year
Assistant to Mayor	5,000	-	15,000	Per Year

Purchasing Agent	3,000	-	7,000	Per Year
Police Chief	115,000	-	175,000	Per Year
Police Director	100,000	-	150,000	Per Year
Officer in Charge	5,000	-	15,000	Per Year
Administrative Assistant (Part-Time)	15	-	25	Per Hour
Administrative Assistant (Full-Time)	30,000	-	60,000	Per Year
Police Matron	30	-	50	Per Hour
Director Public Works	75,000	-	125,000	Per Year
Public Officer	4,000	-	7,000	Per Year
Recycling Coordinator	3,000	-	8,000	Per Year
Secretary (Part-Time)	15	-	25	Per Hour
Secretary (Full-Time)	30,000	-	60,000	Per Year
Custodian/Laborer	15	-	25	Per Hour
Carpenter	30	-	50	Per Hour
Crossing Guards	12	-	25	Per Hour
Registrar Vital Statistics	4,000	-	7,000	Per Year
Deputy Registrar	500	-	2,000	Per Year
Board of Health Secretary	4,000	-	7,000	Per Year
Construction Official	15,000	-	25,000	Per Year
Building Sub Code Official	5,000	-	25,000	Per Year
Building Inspector	5,000	-	25,000	Per Year
Building Inspector (Alternate)	25	-	35	Per Hour
Fire Inspector	3,000	-	5,000	Per year
Construction Technical Clerk	25,000	-	50,000	Per Year
Plumbing Sub Code Official	5,000	-	25,000	Per Year
Electrical Sub Code Official	5,000	-	25,000	Per Year
Fire Sub Code Official	5,000	-	25,000	Per Year
Zoning Officer	15,000	-	50,000	Per Year
Uniform Fire Code Enforcement Officer	15,000	-	25,000	Per Year
Clerical Worker	15	-	25	Per Hour
Nature Center Groundskeeper	2,500	-	5,000	Per Year
Recreation Director	25,000	-	35,000	Per Year
Summer Park Program Director	3,000	-	4,500	Program
Summer Counselor Coordinator	15	-	35	Per Hour
Senior Counselor	12	-	25	Per Hour
Junior Counselor	10	-	20	Per Hour
Travel Camp Director	1,000	-	3,000	Program
Borough Engineer	140,000	-	155,500	Per Year
Special Class II Officer	25	-	75	Per Hour

3. The salary schedules set forth herein shall be retroactive and take effect as of January 1, 2021. All payments made hereunder shall be retroactive to that date. All salaries are subject to availability of funds.
4. This ordinance shall take effect immediately as provided by law.