**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING MINUTES**

**OCTOBER 7, 2019**

Mayor Charles Daniel called the regular meeting to order at 7:30 pm with the reading of the following Sunshine Law announcement: “***I would like to announce and have placed in the minutes that adequate notice of this regular meeting of the Califon Borough Council has been provided in accordance with the Open Public meetings Act by publication of the annual notice in the Hunterdon Review and the Hunterdon County Democrat.”***

**FLAG SALUTE**

**ROLL CALL: PRESENT: R. BAGGSTROM, J. COLLINS, E. HAVERSANG,**

**L. JANAS, M. MEDEA, C. SMITH**

**ABSENT: NONE**

**APPROVAL OF MINUTES**

Motion was made by R. Baggstrom seconded by J. Collins to approve the minutes from the meeting held on September 16, 2019.

For: R. Baggstrom, J. Collins, E. Haversang, L. Janas, C. Smith

Opposed: None

Abstain: M. Medea

**MOTION CARRIED**

**LIST OF BILLS**

Motion was made by R. Baggstrom seconded by C. Smith to approve the list of bills in the amount of $489,025.20.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**TAX COLLECTOR’S REPORT**

The Tax Collector’s Report was reviewed and filed.

**CORRESPONDENCE**

\_\_ photo of plaque for new Island Park Bridge ordered by Borough attorney, Peter Jost and paid for by Peter Jost and Keller & Kirkpatrick, Borough Engineers

\_\_ Police report for month of September

Councilman Medea asked that Charlie Matarazzo of Cedar Ridge Landscaping, be contacted and asked to move the temporary bridge at the park installed during the bridge project.

**POLICE REPORT**

Police Chief, Jeffrey Almer, was present at tonight’s meeting to report that there have been no recent traffic complaints and emphasizing that the recent traffic campaign to slow traffic in town has worked. Councilman/Police Commissioner Baggstrom stated that it does seem like traffic has slowed considerably although, there are still speeders, especially on weekends. Councilwoman Smith reported that the traffic has definitely slowed from what she has observed.

Chief Almer asked for a copy of the dates for the Halloween curfew and promised officers to patrol both on Mischief night and Halloween.

Mayor Daniel asked the Chief about having a Special Class III officer in the Califon school for safety and security. Chief Almer thinks it is a great idea and would like to hire a retired officer to fill this part-time position, which would be strictly for security at the school. Mayor Daniel said he would set up a meeting to discuss this idea with the CSA at Califon School.

Chief Almer stated that he will have an officer at the Street Fair on Sunday. He also reported that the Fire co. is collecting food and clothes for the family that had a fire on Sunday in Washington Township.

**OLD BUSINESS**

1. **RESOLUTION – INTRODUCTION OF BOND ORDINANCE 2019-07 – FUNDING FOR MAIN ST. AND RIVER RD. DOT GRANT PROJECTS**

The Clerk read Bond Ordinance 2019-07 by title: **BOND ORDINANCE PROVIDING FOR THE RESURFACING OF MAIN STREET AND RIVER ROAD, BY AND IN THE BOROUGH OF CALIFON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY; APPROPRIATING $700,000 THEREFOR (INCLUDING GRANTS RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF $390,000) AND AUTHORIZING THE ISSUANCE OF $700,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF**.

The following Resolution was introduced for adoption:

**RESOLUTION 2019-76**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Bond Ordinance #2019-07 entitled: **BOND ORDINANCE PROVIDING FOR THE RESURFACING OF MAIN STREET AND RIVER ROAD, BY AND IN THE BOROUGH OF CALIFON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY; APPROPRIATING $700,000 THEREFOR (INCLUDING GRANTS RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF $390,000) AND AUTHORIZING THE ISSUANCE OF $700,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF** is hereby introduced upon first reading; and

**BE IT FURTHER RESOLVED** that Ordinance 2019-07 will be considered for final passage following a public hearing to be held on October 21, 2019; and

**BE IT FURTHER RESOLVED** that Notice of Ordinance 2019-07 will be published by summary in the Wednesday, October 9, 2019 edition of the Hunterdon Review as required by law.

Motion was made by C. Smith seconded by J. Collins to adopt Resolution 2019-76 as read.

For: R. Baggstrom, J. Collins, E. Haversang, L. Janas, M. Medea, C. Smith

Opposed: None

**MOTION CARRIED**

**NEW BUSINESS**

1. **RESOLUTION – INTRODUCTION OF ORDINANCE 2019-08 AMENDING LICENSING/PERMIT FEES**

The Clerk read Ordinance 2019-08 by title: **AN ORDINANCE AMENDING VARIOUS LICENSE AND PERMIT FEES IN THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY.**

The following Resolution was introduced for adoption:

**RESOLUTION 2019-77**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2019-08 entitled: **AN ORDINANCE AMENDING VARIOUS LICENSE AND PERMIT FEES IN THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY** is hereby introduced upon first reading; and

**BE IT FURTHER RESOLVED** that Ordinance 2019-08 will be considered for final adoption following a public hearing to be held on November 4, 2019; and

**BE IT FURTHER RESOLVED** that Notice of Ordinance 2019-08 will be published in the October 16, 2019 edition of the Hunterdon Review as required by law.

Motion was made by R. Baggstrom seconded by E. Haversang to adopt Resolution 2019-77 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTIONS – RENEWAL TO JOIN STATEWIDE INSURANCE FUND (SIF) + APPROVAL OF INDEMNITY AND TRUST AGREEMENT**

The following Resolutions were introduced for adoption:

**RESOLUTION 2019-78**

**STATEWIDE INSURANCE FUND**

**RESOLUTION TO JOIN (RENEW) THE FUND**

**WHEREAS,** a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, et seq; and

**WHEREAS,** the **Borough of Califon** (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

**WHEREAS,** the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

**WHEREAS,** the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT, and

**WHEREAS,** the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2020** terminating on **January 1, 2023** at 12:01 a.m. standard time; and

**WHEREAS,** the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

**BE IT FURTHER RESOLVED** that to the extent required by law, the LOCAL UNIT shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller, and

**BE IT FURTHER RESOLVED** that the LOCAL UNIT will be afforded the following coverage(s) as marked “Yes”:

**YES NO**

Workers compensation & Employer’s Liability X

Comprehensive General Liability X

Automobile Liability and Physical Damage X

Public Officials and Employment Practices Liability X

Property X

Inland Marine Boiler and Machinery X

**YES NO**

Crime-Faithful Performance and Fidelity X

Pollution Liability X

Cyber Liability X

Non-Owned Aircraft X

**BE IT FURTHER RESOLVED** that the LOCAL UNIT’S Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND’S Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT’S admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Motion was made by L. Janas seconded by M. Medea to adopt Resolution 2019-78 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2019-79**

**APPROVAL TO ENTER INTO INDEMNITY AND TRUST AGREEMENT**

**BE IT RESOLVED,** by the Mayor and Council of the Borough of Califon that the Mayor and Council hereby approve entering into an Indemnity and Trust Agreement between the Statewide Insurance Fund; a joint insurance fund and the Borough of Califon; allowing Califon Borough to become a member of the Statewide Insurance Fund; and

**BE IT FURTHER RESOLVED** that, upon entering the Statewide Insurance Fund, the Borough of Califon agrees to be bound by and to accept and comply with the Funds’ Bylaws, Risk Management Program and the applicable statutes and administrative regulations pertaining to joint insurance funds; and

**BE IT FURTHER RESOLVED** that Califon’s membership in the Statewide Insurance Fund will commence on January 1, 2020 and expire on January 1, 2023; and

**BE IT FURTHER RESOLVED** that the Mayor and Council have authorized the Mayor and Clerk to sign the Indemnity and Trust Agreement and to fully execute same and to forward to the Statewide Insurance Fund.

Motion was made by L. Janas seconded by M. Medea to adopt Resolution 2019-79 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – APPROVAL TO ENTER INTO MUNICIPAL PURCHASE CONTRACT WITH PETER RUBINETTI FOR 2019 CURBSIDE LEAF PICK-UP**

The following Resolution was introduced for adoption:

**RESOLUTION 2019-80**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Peter Rubinetti Private Disposal is hereby approved to be the vendor for the 2019 Leaf Collection program in Califon Borough; and

**BE IT FURTHER RESOLVED** the Borough of Califon and Peter Rubinetti Private Disposal will enter into a Municipal Purchase Contract for the Borough-wide curbside pick-up and disposal of leaves as follows:

4 collection dates on the following Mondays: November 18th, November 25th, December 2nd and December 9th at a cost of $1550 per load; leaves to be placed in bio-degradable paper bags and left at curbside for collection.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2019-80 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – ESTABLISHMENT OF CURFEW FOR MISCHIEF NIGHT AND HALLOWEEN**

The following Resolution was introduced for adoption:

**RESOLUTION 2019-81**

**ESTABLISHING AND DECLARING A JUVENILE CURFEW IN THE BOROUGH OF CALIFON**

**WHEREAS,** P.L. 1992, Chapter 133 (N.J.S.A. 17:16F-20 et seq) authorizes and empowers a municipality to adopt a Resolution making it unlawful for a juvenile of any age under 18 years within the discretion of the municipality to be on any public street or in a public place between hours as so designated by the governing body unless engaged in, or traveling from a business or activity which the laws of this State authorize a juvenile to perform and making it unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place during those hours; and

**WHEREAS,** the Mayor and Council of the Borough of Califon have determined the need for a curfew for juveniles and have determined that the Governing Body shall, by resolution, declare a curfew in the Municipality for a period of up to ten (10) days and under such conditions as are prescribed by the Governing Body and such curfew shall commence not earlier than 9:00 p.m. and shall end not later than 5:00 a.m. during each of the curfew dates established.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Califon as follows:

1. **Establishment of Juvenile Curfew.** A juvenile curfew is hereby established and declared in the Borough of Califon commencing at 9:00 p.m. and ending 5:00 a.m. on the following curfew dates:

Friday, October 25, 2019 through and including Friday, November 1 2019.

1. **Conditions of Curfew**. During the curfew established herein, it shall be unlawful for any juvenile under the age of 18 years to be on any public street, or in a public place, either on foot or in a vehicle, within the Borough of Califon during the above designated time.
2. **Exceptions to Curfew**. The above established curfew shall not apply to juveniles:
3. When the juvenile is engaged in an errand involving a medical emergency
4. When the juvenile is in attendance at an extracurricular school activity sponsored by a religious or community-based organization, or other cultural, educational, or social event
5. When the work time of the juvenile who is gainfully and lawfully employed overlaps the curfew hours
6. When the juvenile is an attendant as a bona fide student at an evening school of instruction
7. When the juvenile is accompanied by a parent or guardian or other adult having the care and custody of the juvenile
8. Where the juvenile is upon an emergency errand or legitimate business directed by the juvenile’s parent or guardian
9. **Responsibility of Parent or Guardian**. During the curfew herein established, it shall be unlawful for any parent or guardian of a juvenile to allow an unaccompanied juvenile to be on any public street or in any public place in violation of hereunder.
10. **Posting, Publication and Distribution of Curfew Notice**. Copies of the above Resolution shall be posted in such public or quasi-public places as may be designated by the Governing Body and may be published in such newspapers as the Governing Body shall designate. Copies shall also be supplied to area schools with a request that they make students aware of the curfew. Failure to post, publish or distribute this Resolution shall not relieve any person from the obligation of complying with the terms of the curfew imposed hereunder.
11. **Notification to Law Enforcement Agencies**. Certified copies of this Resolution shall be sent by the Municipal Clerk to law enforcement agencies, including the Municipal Police Dept., and the New Jersey State Police.

Motion was made by M. Medea seconded by J. Collins to adopt Resolution 2019-81 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **MAYORAL APPOINTMENTS OF REORGANIZED ENVIRIONMENTAL COMMISSION MEMBERS: BECKY PICKINS, KYLE PICKINS, NIEVES FERDINAND, JAMES KINNEY, MARYLOU LOYD, DAVID BLAIR, LORI JENSSEN, KAREN MASTRO**

Mayor Daniel formally recognized and appointed the following members to the newly reorganized Environmental Commission to fill the unexpired terms of the formerly disbanded Environmental Commission membership:

Becky Pickens

Kyle Pickens

Nieves Ferdinand

James Kinney

Marylou Loyd

David Blair

Lori Jensen

Karen Mastro

John Collins – Council liaison

Mayor Daniel thanked all the new volunteers to the Environmental Commission for their enthusiasm and commitment to the new EC. Mayor Daniel is looking forward to a great year ahead with many issues that the EC can become involved with.

The Reorganization meeting of the newly formed Environmental Commission will be held at their meeting on Tuesday, October 15th.

**COMMITTEE REPORTS**

Councilman Medea reported that the Parks Committee has not set a regular meeting schedule since the opening of the Island Park bridge. He will speak to Chris Keiser, Chair of the Parks Committee, to discuss new membership for the Committee; perhaps putting an article in the next edition of the Crier recruiting new members such as Councilman Collins did for recruiting new members for the Environmental Commission. Projects for the Park will involve placing new mulch in the Playground and remediating the violations as outlined in the recent insurance audit. Councilman Medea is concerned about people moving the “Pedestrian crossing signs” at both school crossings. The Clerk reported that there are two new signs in the bay downstairs that have no bases. Ryan from Go Hunterdon will be called to ask if he can donate two bases and these new signs can be put up on the other side of Main St.

Councilman Medea will research planting a new Christmas tree on the newly acquired town property where the new outlet has been installed.

Councilman Haversang reported that the Street Fair is October 13th. There is a great need for more volunteers. Councilmen Haversang and Baggstrom will pick up 30-40 hay bales for the Street Fair on Sunday. The Mayor and Councilman Medea have offered to do the Dunk Tank at the Street Fair.

Councilman Haversang reported that there are two new artisan craft stores opening in town; one above the book store and one in the old Main St. frame shop.

Councilman Janas reported that the Steering Committee will meet with the Board of Education on October 18th with the full compilation of public comments from the public meeting held some time ago. The Steering Committee will meet tomorrow night with the long-range planning Committee of the BOE. A report may be available by January, 2020. The Committees will be submitting a formal request to the town for tax information. The BOE may consider pursuing a joint

meeting with the Council however, nothing has been finalized.

The Planning Board met on September 25th. There was a long discussion on the merger doctrine with the Board attorney and Borough Planner present to ask question of. Some Planning Board members had issues with the amending ordinance adopted late last year by Council that eliminated the merger doctrine for properties that are contiguous and possibly non-conforming. The issues concern inadequate notification to the PB regarding the intent of this ordinance. There was also a discussion on issues with PB meetings being cancelled and not held as scheduled. Following these discussions, it was agreed that the Master Plan of the Borough needs updating. The Planner, James Kyle, will be contacted to begin the updating process.

Councilwoman Smith reported that the Board of Education will meet on the 18th of October. The BOE has recently changed their early dismissal time from 1:10 pm to 12:30 pm. The BOE will be working on a review of their school usage policy so the volleyball and basketball sessions have not been approved as yet.

Councilman Baggstrom read the Police report for September. Councilman Baggstrom reminded Council that it is time to renew the Police and Court Interlocal as well as the Tewksbury DPW Interlocal. Councilman Medea was asked to attend the meeting with Tewksbury when a meeting has been scheduled.

Mayor Daniel reported that Tewksbury Twp. has a new Administrator that they are sharing with Lebanon Twp. Mayor Daniel stated that before meeting with Tewksbury Twp. he would like to discuss alternatives with Council.

Councilman Collins reported that the Environmental Commission has new membership that was confirmed tonight with the Mayor officially appointing them. The Reorganization meeting will be held on October 15th. Councilman Collins reported that he, the Mayor and Clerk, Laura Eidsvaag, will meet at the Weis Dam with the County Engineer, Tom Mathews on Wednesday, October 9th. Councilman Collins will also speak to Mr. Mathews about the “sinking” pavement at the corner of Main St. and upper Raritan Dr.

**MAYOR’S REPORT**

Mayor Daniel reported that Elizabethtown Gas St. has submitted a Road Opening Permit application for the installation of gas to 74 Main St. The Borough Engineer, Tom Boorady, has asked if he can issue approval for the road opening due to his knowledge that this area of Main St. was recently repaved after the stormwater project. Mayor Daniel believes the road was repaved in 2016 so the three-year moratorium is up and he and the Council concurred that the Engineer should proceed to approve the road opening so that this very necessary improvement to the property can be implemented soon.

There being no further business to come before Council at this time, motion was made by C. Smith seconded by J. Collins and unanimously accepted to adjourn the meeting at 9:25 p.m.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator