

**BOROUGH OF CALIFON COUNCIL
REGULAR MEETING
MARCH 18, 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, E. HAVERSANG, L. JANAS, M. MEDEA,
C. SMITH**

ABSENT: J. COLLINS,

ALSO, PRESENT: A. ARDITO, AUDITOR, ARDITO & CO.

COMMENTS FROM THE PUBLIC

Mayor Daniel re-arranged the agenda to have “Comments from the Public” first to accommodate hearing the statement and comments of Matthew and Amber Taylor, residents of 44 Hoffman Drive. Mr. Taylor read a prepared statement explaining that he and his wife are very concerned about the installation of a new driveway being excavated by their neighbor at 38 Hoffman Dr. Specifically, they are concerned that the old paved driveway is being buried under mounds of excavated soil; that there are setback, easement and right of way issues affecting their property; that there will potentially be drainage or flooding issues if left in the current condition for very long. Mr. Taylor provided Mayor and Council with numerous photos showing the large area of excavation for the new driveway; the numerous mounds of soil and the opening of the new driveway onto the end of the Taylor’s driveway. Mr. Taylor explained that attempts over the weekend to discuss the issue with the property owner became confrontational, contentious and unproductive. Mr. & Mrs. Taylor further explained that despite a “cease and desist” order from the Zoning Officer delivered to the property owner by the Police, they are concerned that the order will be ignored and further work will continue. Mayor Daniel stated that if the work continues despite the stop order, a summons will be issued to the property owner by the Zoning Officer and a fine imposed for every day that the violation continues. Mayor Daniel did confirm that the property owner at 38 Hoffman Drive had not applied for a driveway permit prior to constructing the driveway but, once served the “cease and desist” order, he did file a driveway permit application along with required fees to the Municipal Clerk. The Clerk confirmed that the application, along with a cover letter and drawings, was forwarded to the Borough Engineer for his review and recommendations. The Mayor and Council engaged the Taylors in a conversation concerning the Taylors assessment of how the construction of this new driveway encroaches on their driveway and their property. Mayor and Council concluded the conversation by thanking the Taylors for bringing this situation to their attention and reviewed the next steps the town will take once the Borough engineer has determined whether or not the permit can be approved. The Police Chief has been fully apprised of the situation as well. Mr. & Mrs. Taylor thanked that Mayor and Council for their time and assistance.

NEW BUSINESS

A. RESOLUTION – INTRODUCTION OF 2019 MUNICIPAL BUDGET

Anthony Ardito, Borough Auditor, was present at tonight’s meeting. Mayor and Council had copies of the 2019 Municipal Budget in their folders. Mr. Ardito explained that the total revenues and appropriations for the 2019 budget is \$2,028,149. Mr. Ardito explained that the budget will be introduced tonight, March 18th; published in the April 3rd edition of the Hunterdon Review and adopted at a public hearing to be held on April 15th.

The following Resolutions are introduced for adoption:

RESOLUTION-#2019-43

WHEREAS, the Borough of Califon is holding a meeting on March 18, 2019, for the purpose of introducing the 2019 Municipal Budget and conducting other matters; and,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Califon, Hunterdon County, New Jersey, that the Borough of Califon hereby petitions the Director of the Division of Local Government Services that the 2019 Local Municipal Budget be introduced and approved on March 18, 2019.

<u>SUMMARY OF REVENUES</u>	<u>2019</u>
1. Surplus Anticipated General Revenues	\$ 116,000
2. Total Miscellaneous Revenue	981,951
3. Receipts from Delinquent Taxes	37,500
4. (a) Local Tax for Municipal Purposes	<u>885,527</u>
(b) Addition to Local District School Tax	
Total Amount to be Raised for Taxation for Support of Municipal Budget	<u>885,527</u>
Total General Revenues	\$ <u>2,028,149</u>

<u>Summary of Appropriations</u>	<u>2019 Budget</u>
1. Operating Expenses	
Salaries & Wages	\$ 222,396
Other Expenses	1,560,437
2. Deferred Charges & Statutory Expenditures	-0-

3. Capital Improvements	23,500
4. Debt Service	96,602
5. Reserve for Uncollected Taxes	<u>118,043</u>
Total General Appropriations	\$ <u>2,028,149</u>

Motion was made by R. Baggstrom seconded by M. Medea to adopt Resolution 2019-43 as read.
 For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, C. Smith
 Opposed: None
 Absent: J. Collins
MOTION CARRIED

RESOLUTION 2019-44

WHEREAS, the 2019 Local Municipal Budget was introduced on the 18th day of March, 2019; and,

WHEREAS, during the fiscal year 2019 the Borough of Califon has been allocated a state grant for various programs in the amount of \$844,000.

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2019 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:**"

Clean Communities Program

	4,000.00
Island Park Bridge Replacement Grant-NJDOT	400,000.00
Island Park Bridge Replacement Grant-Hunterdon Cty	200,000.00
NJDOT Grant - Main St. Resurfacing/Drainage Project	<u>240,000.00</u>
Total	\$ <u>844,000.00</u>

Motion was made by R. Baggstrom seconded by C. Smith to adopt Resolution 2019-44 as read.
 For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, C. Smith
 Opposed: None
 Absent: J. Collins
MOTION CARRIED

RESOLUTION #2019-45

WHEREAS, the 2019 Local Municipal Budget was introduced on the 18th day of March, 2019; and,

WHEREAS, during the fiscal year 2019 the Borough of Califon will receive revenue for various other special items in the amount of \$5,000.00

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2019 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Other Special Items:**

General Capital Fund Balance Anticipated	\$ 5,000.00
	<u>\$ 5,000.00</u>

Motion was made by M. Medea seconded by L. Janas to adopt Resolution 2019-45 as read.

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

Opposed: None

Absent: J. Collins

MOTION CARRIED

OLD BUSINESS

A. RESOLUTION – AMENDED TERM – APPOINTMENT OF TAX ASSESSOR, PENNY HOLENSTEIN

The following Resolution was introduced for adoption:

RESOLUTION 2019-46

**BOROUGH OF CALIFON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION 2019-

WHEREAS, Resolution 2018-89 incorrectly stated the term of the appointment of Penny Holenstein, CTA, as Tax Assessor for the Borough of Califon.

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that, pursuant to N.J.S.A. 40A:9-148, Resolution 2018-89 is amended to state that Penny Holenstein, CTA, is hereby appointed as Tax Assessor for the Borough of Califon, Hunterdon County, New Jersey, from 12/1/18 – 6/30/19 and then 7/1/19 to 6/30/2023; and

BE IT FURTHER RESOLVED that Ms. Holenstein is hired as Tax Assessor for the Borough of Califon at a salary of \$15,000.00 per year.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2019-46 as read.

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

Opposed: None

Absent: J. Collins

MOTION CARRIED

B. RESOLUTION – APPOINTMENT OF PLANNING BOARD/BOARD OF ADJ. ATTORNEY, MARK ANDERSON

The following Resolution was introduced for adoption:

**RESOLUTION 2019-47BOROUGH OF CALIFON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION #2019-47

**RESOLUTION AUTHORIZING CONTRACT FOR LAND USE ATTORNEY
SERVICES FOR THE BOROUGH OF CALIFON FOR
2019**

WHEREAS, the Borough of Califon has a need to acquire LAND USE ATTORNEY services for the Borough of Califon as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of these contracts is for one year; and

WHEREAS, MARK ANDERSON, ESQ. OF THE FIRM OF WOOLSON ANDERSON, has submitted a proposal indicating that the fee for all Borough Consulting Engineering services rendered shall be \$165.00 per hour; and

WHEREAS, MARK ANDERSON, ESQ. OF THE FIRM OF WOOLSON ANDERSON has completed and submitted a Business Entity Disclosure Certification which certifies that MARK ANDERSON, ESQ. has not made any reportable contributions to a political or candidate committee in the Borough of Califon in the previous one year, and that the contract

will prohibit MARK ANDERSON, ESQ. from making any reportable contributions through the term of the contract; and

WHEREAS, the required certificate for the availability of funds has been filed by the Chief Financial Officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C.5:30-14.5 and that fees for the aforementioned LAND USE ATTORNEY services for the Borough of Califon shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Califon authorizes the Planning Board/Bd. of Adj. Chair and the P.B./Bd. of Adj. Secretary to enter into a contract with MARK ANDERSON, ESQ. OF THE FIRM OF WOOLSON ANDERSON as described herein, as Land Use Attorney providing legal services on behalf of the Borough of Califon Land Use Board for the year 2019; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a Notice of this action shall be printed once in the Hunterdon Review.

Motion was made by M. Medea seconded by L. Janas to adopt Resolution 2019-47 as read.

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

Opposed: None

Absent: J. Collins

MOTION CARRIED

C. DISCUSSION – HISTORIC PRESERVATION ORDINANCE & HISTORIC PRESERVATION DESIGN GUIDELINES

Mayor and Council agreed on the following minor changes to the Historic District Regulations ordinance that has been discussed over the last several months:

Page 4; paragraph 4 – delete “hedgerows and plantings” so that the definition for “Landscape” should read as follows: “Landscape shall mean the visual character of the land, including but not limited to architecture, building setbacks and height, fences and vistas”

Page 5; paragraph 6: 1st sentence – delete the word “servant”

Page 6; paragraph 6 – delete the words “parking areas, sidewalks, curbing, landscapes and materials” – should say “landscapes” not “landscaping”

Page 10; paragraph 3-letter c. – The end of this long sentence should read “subsequent approval by the Planning Board” – delete the following at the end of the sentence “Commission by the Planning Board/Zoning Board pf Adjustment

The Clerk will forward the changes above to Kerry Brown, HPC/Planning Board Secretary. Changes will be incorporated into Ordinance 2019-02 and the Ordinance will be considered for introduction by Council at the meeting held on April 1, 2019.

COMMITTEE REPORTS

Councilman Medea reported that the Parks Committee did not meet but Chairman Chris Keiser, upon Council's approval, directed Woodglen Tree Service to begin the tree work at the Park that they quoted on. Woodglen worked for 3 days and took down numerous ash trees. The DPW will be asked if they can chip the debris from the trees and grade the parking area. Paul Selvatti, with permission, took most of the wood.

Councilman Medea reported that the Contractor, CMS, hired to conduct the construction of the new bridge into Island Park, took down the 6 trees last week that needed to be down before the DEP moratorium at the end of March. Construction of the new bridge is scheduled to begin on June 17th.

Councilman Haversang reported there will be a new component to the Trout Fest this year; a camp-out for children 5-15 years of age; each child accompanied by a parent for the entire event. Insurance issues have been worked out with Groendyke; all parents will sign a hold harmless waiver. For a camp fire, Bill Heerwagen, Fire Official, will be contacted to determine the requirements for an open burn.

The Recreation Committee will meet next on March 20th.

Councilman Janas reported that the next meeting of the Planning Board will be March 27th. There has been no activity with the school Steering Committee. Councilwoman and BOE liaison Smith asked the BOE for a Steering Committee status report and they said there was a delay on their movement forward.

Councilwoman Smith reported that the last BOE meeting was on March 12th where they discussed the budget; a 3.3 cent increase equaling 2%. There were state aid cuts this year, however, all programs have been fully funded. There was \$20,000 budgeted for safety enhancements and former BOE member, Jevan Furmanski was able to get Exxon Mobil to donate \$2,000 to the school. Former BOE member and President and former teacher, Gloria Winter has donated a total of \$32,000 to the school over the last 7 years. The public hearing on the school budget will be held on April 30th.

Councilwoman Smith reported that Ryan Firco will be doing his Eagle Scout project at the school.

Councilman Bagstrom read the Municipal Court report for the month of February; revenue = \$649.

MAYOR'S REPORT

Mayor Daniel spoke briefly on an "Instant Alert" blast that was brought to his attention and that was sent out by the Principal at the Lebanon Twp. schools expressing this Principal's displeasure with Califon School's policy of inviting students from other schools to attend Califon's dances.

Mayor Daniel expressed concern that, using Instant Alert, to advertise his message, was inappropriate when this venue is intended to be used only in emergencies. Mayor Daniel was dismayed that this also cast Califon School in an unfavorable light. The Mayor will be speaking to Califon School's CSA, Ms. Ruberto, to determine how the school wishes to respond. Mayor Daniel praised the Council for their work on the 2019 budget and keeping the increase within the 2% cap.

There being no further business to come before Council at this time, motion was made by C. Smith seconded by L. Janas and unanimously accepted to adjourn the meeting at 9:10 pm.

Respectfully submitted:

Laura G. Eidsvaag, RMC
Municipal Clerk/Administrator