**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING**

**AUGUST 19, 2019**

Mayor Charles Daniel called the regular meeting to order at 7;30 p.m. 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,**

**M. MEDEA (arrived 7:35 pm)**

**ABSENT: L. JANAS, C. SMITH**

**PRESENTATION – NICK ZEMLACHENKO, NEW JERSEY WATER SUPPLY**

**AUTHORITY – EMERALD ASH BORER**

Mr. Zemlachenko provided a power point presentation to Mayor and Council, describing details of the Emerald Ash Borer (EAB); the devastation caused by this insect to ash trees in NJ; and the impact of this devastation on open space properties in Califon Borough and jointly owned by Califon and the NJWSA.

Mr. Zemlachenko explained that a survey, recently conducted by the NJWSA, revealed there to be 35 ash trees on the Nellie Hoffman property that are severely infested and will need to be taken down. The survey also uncovered the presence of two black ash trees, closer to the log cabin, that are extremely rare in Hunterdon County. One of the black ash trees has two trunks and is not showing signs of disease yet. Because of its rarity, NJWSA would like to attempt to treat this black ash tree with a trunk injection of emamectin benzoate; one of the safer and most effective treatment options. Treatment will need to be applied every 2 years for a 10-year period; total cost for this treatment will run $1320-$1800 for the 10-year period. Unfortunately, the smaller black ash tree is showing signs of disease and will need to be taken down. Cost for the treatment of the black ash tree as well as the cost for taking down the 35 trees on the Nellie Hoffman property would need to be shared by the NJWSA and Califon. Further discussions concerning the particulars of sharing these costs will be handled by Julie Shelly, NJWSA Property Maintenance Manager. Mr. Zemlachenko recommended that, once the ash trees are taken down, new native trees should be planted in early spring and he will provide a list of appropriate native trees to the Mayor and Council. Resident, James Kinney, stated that he might be able to get volunteers together to help plant new trees. Mayor Daniel would like the Environmental Commission to get involved in this project.

Mayor Daniel thanked Mr. Zemlachenko for his informative presentation and will be in touch with Julie Shelley to move this project forward.

**DISCUSSION – PARK EXPANSION – WEIS MILL DAM**

Councilman John Collins summarized for Mayor and Council discussions that have taken place since 2017 regarding Califon acquiring an additional 14 acres of parkland from the County and the eventual removal of the remnant of the Weis dam. Councilman Collins recently held a meeting with William Kibler from the Raritan Headwaters and George Schaberg at which time they went over the 2017 meeting that was attended by many stakeholders interested in this project from two standpoints; both the acquisition of the property and the benefits to the removal of the dam. Councilman Collins explained that, at this meeting, the Hunterdon County Engineer, Tom Mathews agreed to the transfer of the 14 acres to Califon with the proviso that the County remove the concrete slab at the dam site which is posing a safety hazard.

Brian Cowden, representative from Trout Scapes River Restoration, proposed at the time that the cost of the dam removal would be approximately $100,000.

Councilman Collins stated that all parties are still very interested about pursuing this project. Tom Mathews, Hunterdon County Engineer, has confirmed that the County remains interested in the transfer of the 14 acres to Califon for $1.00 and will incur the costs of the concrete slab removal. As for the cost of the dam removal, NRCS will provide 75-80% of funding with the remaining costs coming from various sources; state, open space, both municipal and county, etc., at not a huge cost to the Borough. Councilman Collins explained that NRCS will only fund private entities, such as the Raritan Headwaters; not municipal entities. The Borough will need to establish a stewardship relationship with Raritan Headwaters and then RH can make the application to NRCS for funding. Councilman Collins agrees with Mayor Daniel that the Environmental Commission needs to be resurrected with new membership and this project taken on by the EC. Mayor Daniel asked Council if they were in support of this project and all present were in favor.

There was a brief discussion from a few interested parties in the audience. James Kinney, Califon resident and member of Trout Unlimited expressed that he was very interested in this project and will consider membership on the Environmental Commission. He added that taking down both the Weis dam and the Coles Mill dam will bring the water level down in the river; narrow the river channel; bring the water temperature down making it cooler for the trout production; improve bacterial counts and in general make the river healthier.

Mayor Daniel and Jim Holland from Shannon’s Fly and Tackle discussed the river bank restoration projects that have been completed already along sections of the river and which will be implemented along the riverbanks when the Weis dam is taken down; allowing for flood mitigation. Mr. Holland said that the $100,000 anticipated cost of the Weis dam removal includes plans for river restoration.

George Schaberg told Council that 2 permits will be applied for; one for the dam removal and one for land management. The one for land management will be more rigorous and will involve more work however, it will allow for a study on the effects of the dam removal downstream.

Councilman Collins feels confident that he can enlist membership on the newly resurrected Environmental Commission. He will write an article for the next edition of the Crier and it will be posted on the website as well. Councilman Collins will send an e-mail to County Engineer, Tom Mathews, to confirm that the Council wishes to move forward with this project and determine what needs to be done to formalize an agreement with the County. Mayor Daniel thanked Council for their consensus to move forward and would like this formalized in a resolution for the next meeting. Mayor Daniel asked that the Borough Attorney and the Borough Engineer be involved with this project as it moves forward.

**APPROVAL OF MINUTES**

Motion was made by J. Collins seconded by M. Medea to approve the minutes of the meeting held on July 1, 2019.

For: J. Collins, E. Haversang, M. Medea

Opposed: None

Abstain: R. Baggstrom

Absent: L. Janas, C. Smith

**MOTION CARRIED**

**LIST OF BILLS**

Motion was made by R. Baggstrom seconded by E. Haversang to approve the list of bills in the amount of $188,541.73.

For: R. Baggstrom, J. Collins, E. Haversang, M. Medea

Opposed: None

Absent: L. Janas, C. Smith

**MOTION CARRIED**

**TAX COLLECTOR’S REPORTS**

The Tax Collector’s Reports dated July 2 and August 8 were reviewed and filed.

**CORRESPONDENCE**

\_\_ Thank you note from Beth Wolfmayer for gift card for her service as OEM Coordinator

\_\_ Statewide Insurance – Loss Control Service Visit on June 26th led by Ivan Cohen

\_\_ Police Report for month of July

\_\_ letter from 2020 Census regarding first Mayor’s meeting for 2020 Decennial engagement in early September

\_\_ Califon School Board of Education – agenda for August 21st BOE meeting

\_\_ Zero Waste East to be held on September 24-25, 2019

\_\_ Rutgers; Center for Government Services; the Powers & Duties of the Municipal Governing body; Fall, 2019

\_\_ Department of Transportation – applications accepted for Fiscal Year 2020 Local Freight Impact Fund

\_\_ review of Capital Budget for Pershing Ave. project

\_\_ Califon Public School; notification of termination of Califon Board of Ed. School Choice program

\_\_ Califon Municipal Court Monthly report for months of June and July

\_\_ e-mail and call from Jennifer Cusmano, owner of Acropolis Spa reporting that the bridge over Bank St. just beyond the Spa is in deteriorating condition and needs to be assessed by a licensed engineer. Mayor Daniel confirmed that the County of Hunterdon owns the bridge and Tom Mathews should be contacted to conduct a structural assessment.

\_\_ discussion on when to take flags down on the bridge; will wait until after the car show on September 7th

\_\_ Council agreed to reschedule the Council meeting, cancelled on Monday, September 2nd due to Labor Day holiday, to Tuesday, September 3rd; after determining the availability of Councilpersons, Janas and Smith who were absent from tonight’s meeting.

**OLD BUSINESS**

1. **RESOLUTION – APPROVAL OF QUOTE FROM RUBINETTI-PRIVATE DISPOSAL FOR 2019 HOUSEHOLD/METAL/WHITE GOODS CLEAN UP DAY MONDAY, SEPTEMBER 23RD AT $1500 PER LOAD + TIPPING FEES**

Mayor and Council were pleased to see that Peter Rubinetti has quoted $1500 per load, continuing to keep the price per load the same as the last 10+ years.

The following Resolution was introduced for adoption:

**RESOLUTION 2019-68**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that the proposal submitted by Peter Rubinetti-Private Disposal, LLC of $1500.00 per load plus dumping fees, for the curbside pickup of household/metal/and white goods for the entire Borough of Califon; to take place on Monday, September 23, 2019, is hereby approved; and

**BE IT FURTHER RESOLVED** that the Clerk be hereby authorized to draft a Municipal Purchase Contract between Peter Rubinetti-Private Disposal, LLC and the Borough of Califon for the 2019 services of Household/Metal/White Goods Clean-Up Day; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are duly authorized to sign and fully execute the Municipal Purchase Contract for these services.

Motion was made by M. Medea seconded by J. Collins to adopt Resolution 2019-68 as read.

For: R. Baggstrom, J. Collins, E. Haversang, M. Medea

Opposed: None

Absent: L. Janas, C. Smith

**MOTION CARRIED**

**NEW BUSINESS**

1. **RESOLUTION – APPROVAL OF SOLICITOR’S PERMIT – APTIV ENVIRONMENTAL**

Clerk, Laura Eidsvaag, confirmed that Aptiv Environmental has complied with all requirements of Califon’s local ordinance when they applied for a solicitor’s permit in July, 2019; having completed their application; submitted all background checks to the Police Dept. for all 30 applicants; and paid all fees associated with the background checks. Aptiv Environmental will also be a sponsor for the Califon Street Fair on October 13th.

The following Resolution was introduced for adoption:

**RESOLUTION 2019-69**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that the applications of 30 representatives of Aptiv Environmental are hereby approved for the issuance of a Solicitor’s License to peddle their services within the Borough of Califon; having passed all background checks that were approved by the Chief of Police; paid all fees and complied with any and all requirements of Califon’s Solicitor’s Ordinance; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby authorized to issue Solicitor’s License #2019-01SL to Aptiv Environmental for a period of 1-6 months from date of issuance August 19, 2019.

Motion was made by R. Baggstrom seconded by E. Haversang to adopt Resolution 2019-69 as read.

For: R. Baggstrom, J. Collins, E. Haversang, M. Medea

Opposed: None

Absent: L. Janas, C. Smith

**MOTION CARRIED**

1. **RESOLUTION – INTRODUCTION OF ORDINANCE 2019-05 – FIRE CODE AMENDMENTS**

Clerk, Laura Eidsvaag, explained that this amendment to Califon’s Fire Code Ordinance was prompted by the audit conducted in February by State Fire Inspector, Paul Elenio, who identified that our current Ordinance for fire code fees was outdated and needed to be updated to reflect the current State established fire code fees. These fees will be enforced and collected by Califon’s Fire Official, William Heerwagen.

The Clerk read Ordinance 2019-05 by title: **AN ORDINANCE AMENDING CHAPTER 8.24, BUREAU OF FIRE PREVENTION AND CHAPTER 8.28, SMOKE-SENSITIVE ALARM, CARBON MONOXIDE DEVICES AND FIRE EXTINGUISHERS, OF THE CODE OF THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY.**

The following Resolution was introduced for adoption:

**RESOLUTION 2019-70**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2019-05 entitled: **AN ORDINANCE AMENDING CHAPTER 8.24, BUREAU OF FIRE PREVENTION AND CHAPTER 8.28, SMOKE-SENSITIVE ALARM, CARBON MONOXIDE DEVICES AND FIRE EXTINGUISHERS, OF THE CODE OF THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY** is hereby introduced upon first reading; and

**BE IT FURTHER RESOLVED** that Ordinance 2019-05 will be considered for final adoption following the public hearing on September 16, 2019; and

**BE IT FURTHER RESOLVED** that Notice of Ordinance 2019-05 will be published in the August 28, 2019 edition of the Hunterdon Review as required by law.

Motion was made by R. Baggstrom seconded by M. Medea to adopt Resolution 2019-70 as read.

For: R. Baggstrom, J. Collins, E. Haversang, M. Medea

Opposed: None

Absent: L. Janas, C. Smith

**MOTION CARRIED**

1. **RESOLUTION – INTRODUCTION OF ORDINANCE 2019-06 – CAPITAL ORDINANCE FOR FUNDING OF PERSHING AVE. PROJECT**

The Clerk read Ordinance 2019-06 by title: **AN ORDINANCE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, APPROPRIATING THE SUM OF $100,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH OF CALIFON FOR ROAD IMPROVEMENTS TO PERSHING AVE.**

The following Resolution was introduced for adoption:

**RESOLUTION 2019-71**

**BE IT RESOLVED** that Ordinance 2019-06 entitled: **AN ORDINANCE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, APPROPRIATING THE SUM OF $100,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH OF CALIFON FOR ROAD IMPROVEMENTS TO PERSHING AVE.** is hereby introduced upon first reading; and

**BE IT FURTHER RESOLVED** that Ordinance 2019-06 will be considered for final adoption following the public hearing on September 16, 2019; and

**BE IT FURTHER RESOLVED** that Notice of Ordinance 2019-06 will be published in the August 28, 2019 edition of the Hunterdon Review as required by law.

Motion was made by M. Medea seconded by J. Collins to adopt Resolution 2019-71 as read.

For: R. Baggstrom, J. Collins, E. Haversang, M. Medea

Opposed: None

Absent: L. Janas, C. Smith

**MOTION CARRIED**

Mayor Daniel explained to Council that this Ordinance will appropriate the funding for the Pershing Ave. curbing/paving/drainage project. Curbing is slated to commence at the end of September following the removal of two trees. The curbing estimate includes the installation of ADA ramps, however, the number of ramps needs to be agreed upon by the engineer and the curbing contractor. Letters will be drafted to each homeowner on Pershing to inform them of the start of this project whenever a confirmed date has be determined. Mayor Daniel spoke about his conversations with the DPW who will be leading this project through the Morris County Co-Op. Tilcon will be doing the paving but from what he hears about how busy they are the paving may not get done this year and may get scheduled for the early spring.

**COMMITTEE REPORTS**

Councilman Medea reported that he has noticed that the bridge project is close to completion.

The Parks Committee will resume projects in the Park once the bridge is open and the Park is re-opened. Councilman Medea asked what happened to the pedestrian crossing sign at the bridge crossing. The Clerk reported that the sign got hit hard by a vehicle/truck and broke the top part of the sign off the base. The broken sign was lying on the corner of Academy St. and River Rd. until she asked the DPW to pick it up and bring to Borough Hall. The Clerk also asked Ryan from Go Hunterdon if they had a replacement sign and he confirmed that they did and he would deliver this week and pick up the broken one.

Councilman Haversang stated that in his travels, he has noticed crossing signs with flashing lights that are probably expensive but appear to be effective.

Councilman Haversang reported that the Recreation Committee met on 8/13. The planning for the Street Fair on October 13th is underway. Vendors and sponsors are being recruited and the Committee is actively seeking more volunteers to help with this year’s event. Councilman Haversang reported that Recreation Committee Chair, Amanda Altavilla, is resigning at the end of the year and a replacement Chairperson is needed. Councilman Medea asked Councilman Haversang to let the Recreation Committee know that JCP&L installed the outlet at the Borough land behind the Post Office and they should begin making plans to have a Christmas Tree on this property this holiday season. There was a brief discussion on the re-naming of the Winter’s tract and the Burd tract. Councilman Medea will bring this up at the next Parks Committee.

Councilman Baggstrom read both the Police Report for July and the two Municipal Court reports for the months of June and July.

Councilman Collins had no further report for tonight’s meeting; having reported on the issue of the Weis dam at the beginning of the meeting.

**MAYOR’S REPORT**

Mayor Daniel reported that there is some controversy among the Chairman and some of the Planning Board members concerning the land use Ordinance adopted by Council last December, 2018 that eliminated the merger doctrine allowing property owners with two contiguous non-conforming lots to subdivide. There is currently an applicant who will need a variance from the Planning Board and who has been asked to schedule in September.

Mayor Daniel will speak directly with the Planning Board Chair to discuss the issues involved.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public.

There being no further business to come before Council at this time, motion was made by R. Baggstrom seconded by E. Haversang and unanimously accepted to adjourn the meeting at 9:32 pm.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator