**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING MINUTES**

**OCTOBER 5, 2020**

The regular meeting of the Borough of Califon Council was called to order by Mayor Charles Daniel at 7:35 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 Borough of Califon 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.”***

***Due to the Covid-19 pandemic and the State of emergency imposed by Governor Phil Murphy, the Borough of Califon Council will hold their regularly scheduled monthly Council meetings conducted remotely through a web-based platform called Zoom until the Borough is fully opened and operational to the public. Public notification regarding access to the Zoom Council meetings will be posted on the Borough website and Facebook. Adequate notification of this change of format has also been provided to both 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 M. Medea seconded by L. Janas to approve the minutes from the meeting held on September 8, 2020.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**LIST OF BILLS**

Motion was made by C. Smith seconded by E. Haversang to approve the list of bills in the amount of $614,875.90.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**POLICE REPORT**

Police Chief Jeff Almer reported that last month was average for calls and police activity in the Borough. The Police Dept. is working with a skeleton crew; down 6 officers. Mayor and Council chose to discuss the Halloween Curfew and Trick or Treating at this point; moving it from the first item under “Old Business” on the agenda. Mayor and Council confirmed with the Chief that the Halloween Curfew is established as Friday, October 23rd through and including Saturday, October 31st from 9:00 pm to 5:00 am. There was a lengthy discussion on whether or not to hold Trick or Treating on Halloween, October 31st from 3:00 pm to 7:00 pm. Due to the ongoing pandemic, Mayor and Council discussed the health and safety aspects of allowing door to door trick or treating. Mayor and Council reviewed the State Dept. of Health recommendations for trick or treating as well as the 5 guidelines from the CDC. Police Chief Almer stated that cancelling any Halloween activities by the Council would not be enforceable by the Police Dept. It was decided that the Mayor and Council will allow Trick or Treating on Halloween but leave it up to the discretion of homeowners and parents as to whether or not they wish to participate. It was recommended that homeowners who do not wish to participate this year should put a sign on their front door and keep their porch light off. Parents and homeowners that do wish to participate should follow the guidelines of the CDC and State Health Department; wear masks and socially distance. The Curfew, the determination about Trick or Treating, as well as the CDC and State Health Dept. recommendations will all be posted on the website and Facebook. Notice of Curfew will be distributed to the local Police Departments and local schools; both elementary and high schools. The Clerk reported that the Fire Company has cancelled their Halloween Parade this year due to Covid-19 concerns.

Councilman Janas asked the Police Chief about security issues around the upcoming General Election. The Police Chief stated he will have police officers patrolling the town and the polling place to monitor any disturbances. Councilwoman Smith suggested that the town put out a one- page information sheet on election information. Councilman Janas stated that the Hunterdon County website has good and very thorough information about the election; specifics on how to vote in this election; ballots, polling places, etc.

The following Resolution was introduced for adoption:

**RESOLUTION 2020-64**

**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 23, 2020 through and including Saturday, October 31, 2020

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 E. Haversang seconded by C. Smith to adopt Resolution 2020-64 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**OLD BUSINESS**

1. **RESOLUTION – ANTI-HATE AS RECOMMENDED BY KIM RODGERS AND KATE FURMANSKI OF THE ANTI-RACISM COALITION OF NORTH HUNTERDON**

Kim Rodgers and Kate Furmanski were present at tonight’s Zoom meeting. Ms. Rodgers spoke to Mayor and Council asking that they consider adopting the Anti-Hate resolution, reminding them that they had adopted a similar resolution in 2017. Ms. Rodgers stated that, at that time, she did not realize that this resolution is supposed to be renewed annually. Mayor Daniel recommended that this resolution be considered and added as one of the 17 Reorganization Resolutions adopted in January of each year at the Council’s Reorganization meeting. Council enthusiastically concurred. Ms. Rodgers invited the Mayor and Council to a meeting of the ARCNH this Saturday and she will send pertinent info to the Clerk to distribute to Mayor and Council. Kate Furmanski stated that she was proud and impressed that Califon was so willing to adopt this Resolution and she thanked the Mayor and Council.

The following Resolution was introduced for adoption:

**RESOLUTION 2020-65**

**ANTI-HATE RESOLUTON**

**WHEREAS,** hate-based harassment and violent crimes and other hate-motivated incidents have historically marred our nation and have recently occurred more frequently across the United States; and

**WHEREAS,** the messages fueling violence across our country stem from anger, hatred and bigotry and stand in stark contrast to the values we hold dear here in the Borough of Califon; Hunterdon County; and

**WHEREAS,** the Borough of Califon supports and protects all of its residents regardless of their ETHNICITY, RACE, BELIEFS, RELIGION, GENDER, GENDER IDENTITY, ABILITY, or SEXUAL ORIENTATION, including our IMMIGRANT community, all of which we value; and

**WHEREAS,** we in the Borough of Califon believe in the words on which our Nation was built: “We hold these truths to be self-evident; that all men and women are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness”.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Califon; Hunterdon County, rejects the message of all hate groups, renounces their views, strongly condemns hate in its various forms and stands will all residents, regardless of their ETHNICITY, RACE, BELIEFS, RELIGION, GENDER, GENDER IDENTITY, ABILITY, SEXUAL ORIENTATION OR IMMIGRATION STATUS; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Califon affirm that behaviors that spew hate and incite have no place in the Borough of Califon or in Hunterdon County or in the United States of America; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Califon commits to ensuring that Hunterdon County remains a place of goodwill and inclusion where hate, abuse of power and symbols of bigotry will never be tolerated nor welcome.

Motion was made by R. Baggstrom seconded by M. Medea to adopt Resolution 2020-65 as read. For: Unanimous

Opposed: None

**MOTION CARRIED**

**CORRESPONDENCE**

**\_\_** e-mail from Jennifer Gross re: streetlight replacement and letter required by JCP&L to initiate program

\_\_ Califon Municipal Court report for August

\_\_ report from Kevin Pyatt, Superintendent of Public Works: trim trees on Raritan Dr. and Kellie Ct., minor catch basin repair on Kellie Court; mark outs for installation of two “children at play” signs; installation of small berm along the edge of the Guinea Hollow roadway that is eroding; and investigate clogged cross pipe at Rescue Squad building.

\_\_e-mail from Matt Downs, Columbia Gas reporting on maintenance work to perform on gas line that crosses Main St./Columbia Trail at 64 Main St. sometime in December or January and questions on required permits for this work

\_\_ letter from Laine Rankin, director of DOT; reminder that DOT grant for River Road Improvements project must be awarded by March 25, 2021 or funds will be rescinded

\_\_ letter from Attorney Mark Anderson to Thomas Mathews, H.C. Engineer regarding Weis Mill Dam project and the County’s intention to transfer the Weis Mill dam property to the Borough following a Phase 1 Environmental Impact study

\_\_ Washington Township Police Dept. monthly personnel and activity report for August

\_\_ Karen Mastro working on getting a fix for our Facebook account working with Jan Reisen and Yeong

\_\_ e-mail from Board of Health to Bruce Morrow, Chairman of car show on October 10th requesting cooperation with safety protocol for Covid-19; wear masks, social distance when possible, place reminder signs on site

\_\_ Submission of entry by Greenman-Pedersen (formerly Keller & Kirkpatrick) municipal engineering project of the year awards program for project known as “Replacement of Island Park Bridge”

\_\_ Program Update letter to residents from Mayor Daniel regarding the Hunterdon Area Energy Cooperative Program for 2021

\_\_ e-mail from Raritan Headwaters re: Historic ban on throw-away plastics passed by legislature and awaiting Governor Murphy’s signature

**NEW BUSINESS**

1. **RESOLUTION – MEMBERSHIP OF HAILEY ADER INTO NEW JERSEY STATE FIREMEN’S ASSOCIATION**

The following Resolution was introduced for adoption:

**RESOLUTION 2020-66**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that the membership application as submitted by the Califon Fire Co. on behalf of Califon Fire Co. volunteer, Hailey Ader, is hereby approved by the Mayor and Council; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby directed to sign and fully execute the governing body’s approval in the municipal section of the membership application; and

**BE IT FURTHER RESOLVED** that the fully executed membership application be returned to the Califon Fire Co. for filing with the NJ Firemen’s Association.

Motion was made by C. Smith seconded by J. Collins to adopt Resolution 2020-66 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **ESTABLISHMENT OF SUB-COMMITTEE BY MAYOR – REVIEW OF PROFESSIONAL SERVICES CONTRACTS**

Mayor Daniel asked Councilmen Baggstrom and Medea to be part of a sub-committee, along with him and the Municipal Clerk, to review the services of our professionals. A joint meeting will convene soon.

**COMMITTEE REPORTS**

Councilman Medea had no Parks Committee report for tonight.

Councilman Medea called the County Road Dept. regarding the deteriorated asphalt at the corner of upper Raritan Dr. and Main St. He has not heard back from them and will call again.

Councilman Medea reported that the ‘Pedestrian” signs have been disappearing again. Go-Hunterdon will be contacted to see about replacements.

Councilman Medea reported that he will open the back gate at the Park when the trees are delivered for the planting event to take place on October 17th. Councilman Collins stated that there are many volunteers from the EC to help with the planting.

Councilman Haversang reported that regrettably, the Recreation Committee has made the hard decision to cancel the Music Fest scheduled for October 10th due to lack of interest; presumably because of Covid restrictions that had to be imposed on the event. Only 40 people pre-registered

The Recreation Committee is brainstorming to come up with an event hopefully in the spring.

Councilman Janas reported that the Planning Board met on September 23rd and the only items on the agenda were approval of past minutes. Mayor Daniel asked Councilman Janas if the BOE Steering Committee is now defunct? Councilman Janas stated that the Committee is inactive as of August; however there has been no formal action taken on closure.

Councilwoman Smith reported that the Board of Education met on September 16th and reported that the opening of the school year went very well and continues to be going well. The school will be closed on Election Day, November 3rd and all learning that day will be virtual. There are some students that have opted for all virtual learning with no in class instruction. The school has reported that they now have 92 students enrolled that includes 10 tuition paying students; this is up from 79 in August and there is now a waiting list. The school has upgraded their fiber optics. The Board of Education discussed plans for the construction of a fence and the ongoing issue of traffic control.

Councilman Baggstrom read that the expanded Police report from WT lists 36 traffic stops as well as other information regarding coverage in WT and Califon.

Councilman Baggstrom discussed street signage with the Mayor and Council explaining that he has been in contact with Chris Keiser, President of the BOE who has asked for the installation of “children at play” signs and a possible STOP sign at the end of School St. Ext. Councilman Baggstrom has also been in contact with the Clerk and Dep. Clerk, who have been working with Mr. Keiser as well. It has been determined that School St. Ext. is a private road and they have a homeowner’s association that will need to be contacted to approve the installation of any sign on this road. Apparently, Mr. Keiser has already reached out to them. It appears that if ok’d by the homeowners assn., the DPW can erect the “children at play” signs with no problem; they have already completed the mark outs. However, the request for a STOP sign at the end of School St. ext. is complicated by the fact that there has never been a STOP sign there before so this would be a new installation; requiring the Borough engineer to come and conduct a study, followed by the Council adopting a resolution if the engineer recommends the STOP sign.

Councilman Baggstrom also discussed the pictures of the signs that Councilman Haversang sent to him by e-mail; suggesting that the recommended signs may be appropriate for the end of the Columbia Trail that intersects with Main St. and for the area on Main St. near the Fire Co. building. Councilman Baggstrom will e-mail the pictures to the Mayor and Council and this will be on the agenda for the next meeting for a decision on which signs to order.

Councilman Collins reported that he had no report for the Board of Health. There will be an Environmental Commission meeting tomorrow and the agenda has been sent to all members by Karen Mastro. Councilman Collins reported that we have not received the funding from Trout Unlimited for the Weis Mill Dam project.

**MAYOR’S REPORT**

Mayor Daniel reported that Rich Bergmann, Fire Chief, reported an ongoing water leak emanating from a fire hydrant on the corner of Pershing Ave. and Second St. The Clerk will call Aqua NJ to report and have investigated and repaired.

Mayor Daniel reported that at the last Planning Board meeting, one of the members, Mary Phillips, asked that work on expanding the historic district, that has stalled, be reactivated and continued. Mayor Daniel gave Council a brief history of the extensive work that was completed by consultant Dennis Bertland a few years ago, but explained that Mr. Berland never followed up on the final portion of this project which was to possibly expand the current historic district. Mayor Daniel asked Council for their thoughts and opinions on the topic of an expansion of the district. Councilman Baggstrom, former Chair of the Historic Preservation Committee, added some further history to the discussion explaining that the HPC had non-eventful, successful approvals during their reviews of applicants plans at their monthly meetings. In answer to Councilman Janas’s question about how strongly people feel about being told what they can and cannot do to their homes, Councilman Baggstrom answered that there are negative feelings among some homeowners regarding the restrictions homeowners face if their home is currently in the historic district therefore,

 he did not recommend that the district be expanded. Councilman Collins felt strongly that expansion is a bad idea while Councilwoman Smith stated that she is interested to see who in the expanded district is interested in pursuing. Councilman Medea recommended that we get our ordinance in order before considering expanding the district. It was the general consensus that Council is not in favor of continuing the work to expand the district. Mayor Daniel agreed with this position and he will communicate the Council’s opinion to the Planning Board at their next meeting. Mayor Daniel did say that Kerry Brown, Planning Board Secretary, is also the PB Secretary and Secretary to the HPC in Chester Borough. She has said that Chester’s process for homes in their historic district is much easier and less restrictive. She will communicate details to the Mayor and the Mayor will share with Council.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public however, Councilman Haversang reported that it appears the house at 121 Philhower Ave. may be operating as an Air B&B or VRBO; since there have been a number of transient people in and out over several months. The owners, Ed and Stacey Latus, are out of the country for an unspecified time. Councilman Haversang reported that there was a large gathering/party this weekend that was disturbing for safety reasons. Councilman Haversang wanted to determine if temporary rentals are allowable in the Borough.

Clerk Eidsvaag stated that the Zoning Officer, Bill Skene, needs to be contacted and asked to investigate and review our ordinance to determine whether or not this is a legal or illegal use.

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 9:39 pm.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator