**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING**

**JULY 20, 2020**

In Mayor Daniel’s absence, Council President, Michael Medea called the regular meeting of the Borough of Califon Council 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 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 meetings conducted remotely through a web-based platform called Zoom until the Borough is fully opened and operational to the public. Public notification regarding public 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,**

**M. MEDEA, C. SMITH**

**ABSENT: L. JANAS, MAYOR CHARLES DANIEL**

**APPROVAL OF MINUTES**

Motion was made by J. Collins, seconded by M. Medea to approve the minutes from the meeting held on June 15, 2020 with the following correction:

Page 104; paragraph 1; delete “a mason” from sentence #5; sentence to read “Ms. Grieco then introduced James Celentano, the contractor hired to install the sidewalks……

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

Opposed: None

Absent: L. Janas

**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 $56,940.28.

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

Opposed: None

Absent: L. Janas

**MOTION CARRIED**

**TAX COLLECTOR’S REPORT**

The Tax Collector’s Report was reviewed and filed.

**CORRESPONDENCE**

**\_\_** e-mail; JCP&L; Stan Prader – wire in park de-energized and repair scheduled for later date

\_\_ e-mail; JCP&L; Stan Prader – electrician required to make repairs to wire since poles are private and owned by town

\_\_ e-mail; DPW; spread chips at Park and placed stone in parking lot; Borough Hall parking lot to have stone placed

\_\_ e-mail; DPW; estimate for Crestmore and Limerock cul-de-sac: $14,700

\_\_ e-mail from Councilwoman Cathy Smith to Califon Board of Education; thanking Dr. Joanna Ruberto and Dan Patton for all of their efforts on behalf of Califon School and the Borough of Califon

\_\_ e-mail; Lisa Hibbs, Commercial Utility; RFP for HAEC upcoming energy auction n August 19th for residential electricity usage for Hopewell Township, Borough of Peapack & Gladstone and Borough of Pennington

\_\_ letter from Mayor Daniel to Mr. Zupnik of IDT Energy; intent of Borough of Califon as lead agency of HAEC to recommend IDT Energy as the third-party energy supplier for the HAEC participants based upon the results of the June 16th online energy auction; offered to provide the HAEC participants a rate of .0867 for the provision of electric supply and a rate of .0878 for 100% enhanced renewable energy for a term of 9 months beginning in March 2021 to all members of the HAEC

\_\_ Thomas Boorady, Borough Engineer; copy of DOT grant for improvements to Philhower Ave., Bank St. and River Rd. submitted through SAGE for 2021 NJDOT municipal aid

\_\_ Califon Municipal Court re: report for month of June, 2020

**NEW BUSINESS**

1. **RESOLUTION – APPROVAL OF 2020-2021 LIQUOR LICENSE RENEWALS**

The following Resolutions were introduced for adoption:

**RESOLUTION 2020-54**

**BE IT RESOLVED** by the Council of the Borough of Califon, County of Hunterdon, State of New Jersey, that the following Plenary Retail Distribution License be issued in the Borough of Califon to be effective at 9:00 a.m. prevailing time on July 1, 2020; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk or her duly authorized agent is hereby authorized, directed and ordered to sign, issue and deliver such license to the following licensee:

NAME AND TRADE NAME, IF ANY LICENSE NO. ADDRESS

Jalarem Liquors 1004-44-001-005 430 County

t/a Califon Wine and Spirits Rt. 513

Califon, N.J.

07830

**BE IT FURTHER RESOLVED** that a copy of this Resolution be certified to be a true copy by the Municipal Clerk and forwarded to the Division of Alcoholic Beverage Control.

Motion was made by C. Smith seconded by J. Collins to adopt Resolution 2020-54 as read.

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

Opposed: None

Absent: L. Janas

**MOTION CARRIED**

**RESOLUTION 2020-55**

**BE IT RESOLVED** by the Borough Council of the Borough of Califon, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption Liquor License be issued in the Borough of Califon, to be effective at 9:00 a.m . prevailing time, on July 1, 2020; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk or her duly authorized agent is hereby authorized, directed and ordered to sign, issue and deliver such license to the following licensee:

NAME AND TRADE NAME, IF ANY LICENSE NO. ADDRESS

**KOHA, LLC 1004-33-003-003 438 Route 513**

**t/a Brasserie 513 Califon, N.J.**

**07830**

**BE IT FURTHER RESOLVED** that a copy of this Resolution be certified to be a true and correct copy by the Municipal Clerk and forwarded to the Division of Alcoholic Beverage Control.

Motion was made by C. Smith seconded by J. Collins to adopt Resolution 2020-55 as read.

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

Opposed: None

Absent: L. Janas

**MOTION CARRIED**

**RESOLUTION 2020-56**

**BE IT RESOLVED** by the Borough Council of the Borough of Califon, County of Hunterdon, State of New Jersey, that the following Club Liquor License be issued in the Borough of Califon, to be effective at 9:00 a.m. prevailing time, on July 1, 2020; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk or her duly authorized agent is hereby authorized, directed and ordered to sign, issue and deliver such license to the following licensee:

NAME AND TRADE NAME, IF ANY LICENSE NO. ADDRESS

Califon Fire Co. 1004-31-002-002 P.O. Box 178

41 Main St.

Califon, N.J.

07830

**BE IT FURTHER RESOLVED,** that a copy of this Resolution is certified to be a true copy by the Municipal Clerk and forwarded to the Division of Alcoholic Beverage Control.

Motion was made by C. Smith seconded by J. Collins to adopt Resolution 2020-56 as read.

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

Opposed: None

Absent: L. Janas

**MOTION CARRIED**

1. **RESOLUTION – APPROVAL OF MEMBERSHIP OF JOHN KOSTICK, CALIFON FIRE CO. VOLUNTTER, INTO THE NEW JERSEY STATE FIREMEN’S ASSOCIATION**

The following Resolution was introduced for adoption:

**RESOLUTION 2020-57**

**BE IT RESOLVED** by the governing body of the Borough of Califon that

John Kostick’s application for membership into the NJ Fireman’s Association as a Volunteer fireman for the Califon Fire Co., is hereby approved and endorsed; and

**BE IT FURTHER RESOLVED that** the Municipal Clerk is hereby authorized to sign and execute the membership application endorsing the governing body’s approval.

Motion was made by C. Smith seconded by J. Collins to adopt Resolution 020-57 as read.

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

Opposed: None

Absent: L. Janas

**MOTION CARRIED**

**OLD BUSINESS**

1. **DISCUSSION – WEIS DAM/PARKLAND ACQUISITION – JAMES KINNEY AND BILL KIBLER**

Present at tonight’s Zoom meeting for discussion on the Weis Dam and parkland acquisition from Hunterdon County were the following interested parties: James Kinney, President of the local chapter of Trout Unlimited and William Kibler, Policy Director of Raritan Headwaters. Councilman Collins reminded Council from the last Council meeting that Trout Unlimited has funding available and has offered a donation of up to $10,000 toward the legal costs involved in the negotiations with the County for the land acquisition as well as funding for the Phase 1 environmental impact study, required to be done prior to the town accepting the land acquisition from the County. Councilman Collins also reiterated from the last Council meeting that Trout Unlimited has expressed the opinion that a dedicated land use attorney be hired to handle the services for this project; costs to be paid for with Trout Unlimited funding. Mr. Kinney continued explaining that the State Council of Trout Unlimited has agreed to fund up to $11,500 for this project and they feel that hiring an experienced land use attorney makes sense. Mr. Kinney stated that both Trout Unlimited and Califon Borough will need to be satisfied with this person. Councilman Haversang stated that he has been in touch with Rob Simon from Harold Law, who is the land use attorney for Tewksbury Twp. Mr. Simon is interested and he has provided a letter of agreement stating he will provide services for this project at a cost of $225 per hour. Councilman Medea asked Councilman Haversang if Mr. Simon has had prior experience with these types of projects. Councilman Haversang answered yes; that Mr. Simon has provided services specific to these projects. Councilman Medea suggested that Mark Anderson, the Borough Planning Board attorney be considered as well, as he is already one of our professionals. Mr. Kinney stated that Trout Unlimited would have no problem considering both Mr. Simon and Mr. Anderson as potential candidates. Mr. Kinney urged that both candidates understand that time is of the essence and therefore they must be of the mindset to get the work done in a reasonable amount of time. Councilman Haversang offered to contact Mark Anderson to determine his interest and request that he provide a professional services agreement for his services.

Mr. Kinney turned over the meeting to Bill Kibler who stated that the transfer of land has nothing to do with removal of the remnant of the Weis dam and subsequent stream restoration project. For the dam removal and stream restoration, deadlines for funding from the US Fish and Wildlife and the NRCS are looming and time is getting short. Mr. Kibler explained that, once an attorney has been selected, the Borough and the Raritan Headwaters Assn. will enter into a Stewardship Management Agreement. Raritan Headwaters will then apply to US Fish and Wildlife and NRCS for funding and RU will handle all permitting required thru the DEP.

Councilman Collins emphasized how quickly the Council will need to get a land use attorney on board. All agreed that the chosen attorney will be asked to provide an estimated cost/not to exceed for these services. Once an attorney is selected, an agreement will need to be drafted between Califon and Trout Unlimited outlining the details of the donation for funding. At that point, the attorney can begin work on contacting the County to work out details on the land acquisition. Work on getting an Environmental Impact Study/Phase 1 will also commence at that point. Councilman Collins reported that our Borough Engineer, Tom Boorady, forwarded a proposal for an environmental study at a cost of $2800. Mr. Kibler stated that if any red flags turn up from the Phase 1 environmental study, the town will need to determine moving on to Phase 2. Councilman Baggstrom asked how TU and Raritan Headwaters anticipate working with the County and if they feel the County will cooperate. Mr. Kinney stated that all hope that the County is agreeable to this plan.

Councilman Medea reported that Mayor Daniel, who was absent at tonight’s meeting, texted Councilman Medea saying that he is requiring interviews with both candidates and a written quotation of anticipated costs from each. Because of the tight time frame for applying for funding for the dam remnant removal and for the stream restoration, all agreed that the Mayor and Council may hold their already cancelled meeting on August 3rd, when the Mayor and Council may be able to vote on a land use attorney for this project.

**COMMITTEE REPORTS**

Councilman Medea had no report for tonight’s meeting.

Councilwoman Smith reported on the July 15th BOE meeting. Michelle Cone is the new CSA. The current enrollment at the school is 79 students, which includes preschool. Their re-opening plan involves in person classes with wellness screening daily. This re-opening plan will be submitted to the County by the August 1st deadline. Lisa Madson, art teacher, has retired.

Councilman Collins reported that Jennifer Gross, member of the Environmental Commission, is actively working on synchronizing street lights in town to all LED and will hopefully have a report to the Commission by August.

Councilman Haversang reported that he was not able to attend the last Recreation Committee meeting. The Committee has cancelled the Street Fair due to Covid-19 concerns. They may try to put together a concern on October 3rd or 10th and will reach out to the Fire Co. for their involvement. Councilman Haversang reported the High Bridge shut down the Lake Solitude falls/park due to an overrun of people partying without social distancing and without masks.

Councilman Baggstrom reported that there are two trees on Pershing Ave. that are presumably dead and dying. They are going thru the power lines and JCP&L has placed a pink band on one; indicating that they may be taking it down. Jennifer Gross reported deteriorated black top in front of Califon Lumber. Based on conversations with the DPW, the Mayor has advised that the situation does not warrant remediation. Councilman Baggstrom reported that the DPW has advised that repair of the deterioration on the cul-de-sac of Crestmore St./Limerock will cost approximately $14,700. Councilman Baggstrom will speak with the Mayor and Kevin Pyatt regarding moving forward with this project.

**COMMENTS FROM THE PUBLIC**

**NONE**

**EXECUTIVE SESSION**

The following Resolution was introduced for adoption:

**RESOLUTION 2020- 58**

**RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE**

**PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW**

**JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS,** the Borough Council of the Borough of Califon is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

**WHEREAS,** the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

**WHEREAS,** it is necessary for the Borough Council of the Borough of Califon to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

**Matters Relating to Negotiations/litigation:** Any pending or anticipated contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Califon, assembled in public session on July 20, 2020 that an Executive Session closed to the public shall be held on July 20, 2020, at 8:51 P.M. in the Califon Municipal Building, 39 Academy St., Califon, N.J. 07830, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Motion was made by R. Baggstrom seconded by C. Smith to adopt Resolution 2020-58 as read.

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

Opposed: None

Absent: L. Janas

**MOTION CARRIED**

Motion was made by C. Smith seconded by J. Collins to resume the regular meeting at 9:19 PM.

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

Opposed: None

Absent: L. Janas

**MOTION CARRIED**

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 9:20 p.m.

Respectfully submitted

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator