**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING**

**AUGUST 17, 2020**

Mayor Charles Daniel 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 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**

**OLD BUSINESS**

1. **RESOLUTION – APPROVAL OF PROFESSIONAL SERVICES CONTRACT FOR MARK ANDERSON, ESQ. FOR SPECIAL COUNSEL SERVICES RELATED TO THE WEIS DAM PROJECT**

Mayor and Council discussed approving the Professional Services Contract for Mark Anderson, as submitted by Mr. Anderson, to provide Special Counsel services for the Weis Dam project.

Mr. Anderson will bill for his services at a rate of $175.00. Terms of the contract outline the services to be: 1) arrange for, interpret and report on environmental studies appropriate to land acquisition; 2) meeting and negotiating with Hunterdon County; 3) review of Stewardship Agreement with Raritan Headwaters; 4) such other services as the Council shall direct the attorney to provide. When asked by Councilman Janas if the County was on board with this project, Councilman Collins said that discussions with the County would commence once the Califon’s attorney has been selected and approved and the funding secured through a Letter of Understanding between Califon and Trout Unlimited. In the Letter of Understanding between Califon and Trout Unlimited, the terms of the agreement for providing TU’s funding donation of $11,000 would be phased in at 1/3,1/3,1/3 of the total amount. Councilman Collins expressed many thanks to TU for their generous contribution to this project. Mayor and Council agreed that Mr. Anderson will be reviewing the final draft of the Letter of Understanding and recommending to Council that they approve it, if all looks satisfactory. Mr. Anderson will be asked to review and recommend the Stewardship Agreement between Califon and Raritan Headwaters as directed by Bill Kibler when drafted.

The following Resolution was introduced for adoption:

**RESOLUTION 2020-59**

**RESOLUTION AUTHORIZING CONTRACT FOR SPECIAL COUNSEL LEGAL SERVICES FOR THE BOROUGH OF CALIFON - 2020**

 **WHEREAS,** the Borough of Califon has a need to acquire SPECIAL COUNSEL LEGAL services for the Weis Dam Project in 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 WOOLSON ANDERSON, PEACH, P.C.** has submitted a proposal indicating that the fee for all Special Counsel legal services rendered shall be $175.00 per hour; and

 **WHEREAS, MARK ANDERSON, ESQ. OF WOOLSON, ANDERSON, PEACH, P.C.** 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 SPECIAL COUNSEL LEGAL 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 Mayor and Clerk of the Borough of Califon to enter into a contract with MARK ANDERSON, ESQ. OF WOOLSON, ANDERSON, PEACH, P.C. as described herein, as Attorney providing Special Counsel Legal services on behalf of the Borough of Califon for the year 2020; 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 J. Collins seconded by M. Medea to adopt Resolution 2020-59 as read.

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

Opposed: None

Absent: None

Abstain: E. Haversang

**MOTION CARRIED**

**APPROVAL OF MINUTES**

Motion was made by R. Baggstrom seconded by E. Haversang to approve the minutes from the meeting held on July 20, 2020.

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

Opposed: None

Abstain: L. Janas

**MOTION CARRIED**

Executive Session minutes from the meeting held on July 20, 2020 were presented for approval but tabled until meeting on September 8, 2020.

**LIST OF BILLS**

Motion was made by R. Baggstrom seconded by L. Janas to approve the list of bills in the amount of $796,748.22.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**TAX COLLECTOR’S REPORT**

The Tax Collector’s Report was reviewed and accepted.

**CORRESPONDENCE**

**\_\_** Califon Municipal Court report for month of July

\_\_ Washington Township Police Department – Monthly Personnel and Activity Report – July 2020

\_\_ 2019 Tonnage Report and Certification filed with State by Karen Mastro, Dep. Clerk

\_\_ 2020 Tax Rate – 3.505 Total Tax Rate

\_\_ Executive Order No. 177 – all mail-in ballot election on November 3, 2020

\_\_ Califon Board of Education meeting agenda for August 19, 2020

\_\_ e-mail from Annalise Rodgers – request to have “controversial” word carved into table under pavilion at Park removed

**OLD BUSINESS (continued)**

1. **DISCUSSION – FAS SPONSORED TAG SALE AND RECREATION SPONSORED MUSIC NIGHT IN PARK – QUESTIONS DUE TO CONCERNS REGARDING THE PANDEMIC**

Mayor Daniel reported that he had spoken to Jay Klein, President of the First Aid Squad who has indicated that the FAS will be holding their annual fundraiser, the Tag Sale, on September 19, 2020. They spoke about the recommendation that all participants where masks and practice safe social distancing. Mayor Daniel asked that the FAS limit the number of vendors and space tables 6 ft. apart at the Flea Market area set up on the funeral home parking lot. FAS will recommend and strongly encourage that all visitors viewing items for sale at individual homes wear masks and social distance as well as those selling. Councilman Janas recommended posting on the website that all should wear masks and social distance. Mayor Daniel said that Mr. Klein agreed to advertise this requirement throughout town to emphasize its importance.

Councilwoman Smith recommended that the FAS emphasize no large crowds gathering during the tag sale.

Mayor Daniel reported that the Recreation Committee has approached him with the idea of holding a Music in the Park event on October 10th. He has spoken with Amanda Altavilla, Chair of the Recreation Committee sharing his concerns, once again, with the safety practices to wear masks and social distance during such an event. Councilman Baggstrom shared that he has seen music events held where rings are painted with chalk or paint, 6 feet apart, and each family reserves one of the rings for their family. Once all the rings are full, admission would be closed. Mayor Daniel stated that Amanda A. had shared that this is how they held a music event in the town where she works. Councilman Haversang and Councilman Baggstrom stated that the event could be scheduled during the day; such as 1:00 to 5:00 or 2:00 to 6:00 mid-day, so why not give it a try. Mayor Daniel expressed concern about who will organize and do all the work to make this happen. Councilman Medea stated that the Recreation Committee will have to establish who will enforce the rules about masks and not gathering and congregating. Councilman Haversang stated that the Recreation Committee would buy masks and hand sanitizer for the safety and protection of all participants and there will be a hard rain date of October 11th. Mayor and Council, following this discussion, concluded that they will ask Amanda and the Recreation Committee to submit a formal plan for this event prior to the next Council meeting so that Council can decide on whether or not to approve this event.

**NEW BUSINESS**

1. **MAYORAL APPOINTMENT OF TOM MURIN – MEMBER ON THE BOARD OF HEALTH**

Mayor Daniel received an e-mail from Karen Mastro, Dep. Clerk/Board of Health Secretary, stating that Tom Murin, resident on Philhower Ave. has expressed a desire to become a member on the Board of Health. With the resignation of James Morgan, there is a vacancy that needs to be filled.

Mayor Daniel formally appointed Tom Murin to the Board of Health to fill the unexpired term of James Morgan which will expire on 12/31/20.

1. **COUNCIL MEETING SCHEDULE FOR SEPTEMBER**

Mayor and Council will hold their regularly scheduled Council meeting on Tuesday, September 8th due to the Labor Day holiday falling on Monday, September 7th. Councilman Collins stated that the Council meeting on September 8th will coincide with the regularly scheduled Environmental Commission meeting. Karen Mastro, Bd. of Health Secretary will be notified to change the date of the EC meeting.

Depending on the status of business, Council may or may not hold the regular meeting on Monday, September 21st. If there is a decision to cancel this meeting, a 48-hour notification will be called into the Hunterdon Review.

1. **RESOLUTION – APPROVAL OF CONTRACT WITH RUBINETTI PRIVATE DISPOSAL FOR 2020 HOUSEHOLD/METAL CLEAN UP DAY**

The following Resolution was introduced for adoption:

**RESOLUTION 2020-60**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that the proposal submitted by Peter Rubinetti-Private Disposal, of $1500 per load plus dumping fees, for the curbside pickup of household/metal/and white goods for the entire Borough of Califon; to be conducted on Monday, September 21, 2020 is hereby approved; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby authorized to draft a Municipal Purchase Contract between Peter Rubinetti-Private disposal, LLC and the Borough of Califon for the 2020 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 R. Baggstrom seconded by E. Haversang to adopt Resolution 2020-60 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**COMMITTEE REPORTS**

Councilman Medea reported on the complaint received from Annalise Rogers regarding the graffiti carved into one of the tables at the park. He will investigate the complaint and work with the Parks Committee to try to remove the offensive carving.

Councilman Medea discussed the disappearance of the Pedestrian Crossing signs. Councilman Baggstrom reported that his wife saw a brown jeep hit everyone of the 4 signs in the road intentionally. Councilman Baggstrom offered an alternative: solar powered pedestrian crossing signs that flash in both directions with the push of a button; the price is $1300-$5000. Councilman Baggstrom urged Council to investigate other alternatives. Councilman Collins stated that we need clear signage at strategic points. This comment prompted a discussion on the inadequate signate at the crossing on Main St. at the Firehouse building. Diane Haversang reported an incident over the weekend when she was stopped at the crosswalk to let a bicyclist cross to the trail and a car in back of her passed on the left and almost hit the bicyclist. Councilman Baggstrom stated that he will investigate the vague signage at the Firehouse on Main St. and ask the Clerk to contact Garden State to replace with new and more adequate signage if found to be necessary. Councilman Haversang stated that the STOP sign on the trail at the intersection of the Columbia Trail and Main St. is faded and needs to be replaced. Councilman Baggstrom said he would check it out and contact the County to replace.

Councilwoman Smith reported that she feels the standard Pedestrian signs that we have been using work fine. Clerk Eidsvaag said she will contact GoHunterdon to request replacements for the ones that were hit.

Councilman Haversang reported that hopefully, the Recreation Committee will sponsor a “Music in the Park” event on October 10th

since the Street Fair had to be cancelled due to the pandemic. Mayor Daniel asked the Police Chief if they have had any major events in Washington Twp. The Police Chief indicated that all big events have been cancelled.

Mayor Daniel hopes that Amanda Altavilla will come up with a workable plan for the Music in the Park event since she has run several successful events in the town where she works.

Councilman Janas reported that the Planning Board met on June 24th and approved two applications; one for a lamppost and fence and one to renovate roof and chimney.

An application for 44 Main St. was withdrawn by the property owner.

The Planning Board had no meeting in July and will hold their August meeting on August 26th.

Councilwoman Smith reported that the Califon School filed their reopening plan by the July 30th deadline. They plan to reopen full time; in person teaching; with full enrollment. The BOE will meet on August 19th. Michelle Cone, the new CSA, reported the good news that the school has 10 kindergarten students enrolled for this school year.

Councilman Baggstrom read the Police report for the month of July; reporting that there were 61 traffic stops in July. He read the Municipal Court report for the month of July.

Councilman Baggstrom reported that the DPW has done a fantastic job of patching the deteriorated potholes on River Rd. that have resulted from the heavy traffic load as a detour for the Rt.513 bridge project as well as the wash over from the storm.

Councilman Baggstrom reported that he investigated an ongoing complaint from the homeowner of 7 Limerock Lane regarding what the homeowner feels is a dangerous tree in front of her house that is in the right of way. Councilman Baggstrom stated that the homeowner has been complaining for some time about limbs falling from the tree creating a safety hazard. Councilman Baggstrom does not feel the tree is dead or dying; it may need some heavy pruning and maintenance. Councilman Baggstrom asked Mayor and Council who should take care of this; the town or the homeowner. It is his opinion that the homeowner should be responsible.

Mayor Daniel agreed and said it is time to address trees in the Borough right of way. All concurred that the Planner, Jim Kyle, will be asked to share a model ordinance to have homeowners take responsibility for trees in the row but on their property as well. Mayor Daniel asked Councilman Baggstrom to tell the homeowner that this is under review.

Councilman Collins reported that the Board of Health did not meet in July. The Environmental Commission is working on the street light study. Jennifer Gross is gathering data and will present at the next EC meeting. The EC will hold a virtual stream and river clean up and can sign up to participate.

**MAYOR’S REPORT**

Mayor Daniel reported that Tom Boorady, Borough Engineer, will be meeting the Mayor this Friday at 9:00 am tentatively; to be confirmed tomorrow. Mayor Daniel stated that Council members are welcome to join them, however have to be careful not to have a quorum. Kevin Pyatt, DPW and Brian will be asked to join them. At this meeting, they will look at the 1) condition of the diversion chambers of the stormwater project; 2) observe conditions at River Rd. and 3) look at curbing issue at 44 Main St.

**COMMENTS FROM THE PUBLIC**

**NONE**

Councilman Janas asked if there is a date for the completion of the Rt. 513 bridge replacement project. Mayor Daniel answered that it looks like all is on schedule to be completed by September 15th.

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 9:29 pm.

**Respectfully submitted:**

**Laura G. Eidsvaag, RMC**

**Municipal Clerk/Administrator**