**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING MINUTES**

**FEBRUARY 3, 2021**

Mayor Charles Daniel called the meeting to order at 7:39 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 conducted via the online platform Zoom, has been provided in accordance with the Open Public Meetings Act by publication of the legal notice in the Hunterdon Review and the Hunterdon County Democrat.”***

***“Due to the continuing 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 C. Smith seconded by L. Janas to approve the minutes from the meeting held on January 19, 2021.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**LIST OF BILLS**

Motion was made by M. Medea seconded by C. Smith to approve the list of bills in the amount of $483,186.77.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**CORRESPONDENCE**

\_\_ e-mail from Jim Kinney re: removal of log jam (breach) at Coles Mill Dam to avoid the potential of serious flooding from ice damming when there is a warmup. Response from George Cassa suggesting investigation of potential funding from the Highlands for re-examination of Cassa suggesting that the Borough investigate the availability of funding assistance through the Highlands Council for the periodic re-examination of the Borough Master Plan. Mayor Daniel will speak with the Borough Engineer and Bill Kibler about remediation of the breach in the Coles Mill Dam.

\_\_ recommendation by Kevin Pyatt of the DPW to store a 20 yd. dumpster on their site for the dumping of debris collected during heavy flooding events; no charge for rental of dumpster; charge of $600 each time the dumpster is emptied, up to 5 tons. Councilman Baggstrom will reach out to Kevin to discuss.

\_\_ Washington Twp. Police Department; 2020 year in review

\_\_ e-mail from Mark Anderson, Borough attorney, regarding the disbanding of the Historic Preservation Commission and rolling back into the Planning Board; draft ordinance repealing the HPC; amending the Planning Board Ordinance and assurance that two members on the PB meet the HPC Class A & B requirements (requirements defined).

\_\_ e-mail from Karen Mastro suggesting the scheduling of a joint meeting of the Environmental Commission and the Planning Board for a power point presentation by Barbara Davis of the NJ Land Conservancy regarding the implementation of an Open Space/Recreation plan for Califon.

**POLICE REPORT**

Police Chief Almer reported that January 2021 was a good month with 1000 activity logs. Chief Almer reported that the department is getting back to full staffing. Patrols have been increased at the school during arrival and dismissal due to the amount of snow that fell during the last storm.

Mayor Daniel asked how the Chief handles incidents where residents have not shoveled their sidewalks per our ordinance. Chief Almer will have his officers’ issue friendly reminders followed by summonses if necessary due to non-compliance. Councilman Baggstrom read some stats from the year in review report; DWI’s down as well as overdoses and drug arrests; notable achievements within the department; overall 2020 a good year. Councilman Baggstrom will forward a copy of the report to the Mayor and all Council members.

**OLD BUSINESS**

1. **RESOLUTION – APPROVALOF RETROACTIVE (4 YEAR) LOSAP CONTRIBUTION** **FOR PAUL PANNELLA, FIRST AID SQUAD VOLUNTEER, IN THE AMOUNT OF $2,200.**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-33**

WHEREAS, LOSAP contributions are given to those volunteers of the Califon First Aid Squad who have been certified as having earned the required 50 eligibility points and who have submitted the required membership application and documentation to Lincoln Financial;

WHEREAS, Paul Pannella, volunteer on the First Aid Squad, having been on the certified list of eligible volunteers having earned the required 50 points for LOSAP contributions for the past 4 years, 2017, 2018, 2019, 2020; but has not been enrolled in the LOSAP program with Lincoln Financial until January 2021.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Califon approves the payment of LOSAP contributions for Paul Pannella, FAS volunteer, retroactively for 2017, 2018, 2019 and 2020 in the amount of $2,200 at $550 per year; and

BE IT FURTHER RESOLVED that Paul Pannella, having formally enrolled with Lincoln Financial will be eligible for the $550 contribution each year as long as he is certified as having earned 50 points per each qualifying year.

Motion was made by M. Medea seconded by J. Collins to adopt Resolution 2021-33 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**NEW BUSINESS**

1. **RESOLUTION – APPROVAL OF 2021 PROFESSIONAL SERVICES CONTRACT FOR JONATHAN TESTA OF THE FIRM OF DORSEY & SEMRAU, PLANNING BOARD ATTORNEY**

**The following Resolution was introduced for adoption:**

**RESOLUTION 2021-34**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – LEGAL SERVICES FOR PLANNING/ZONING BOARD FOR 2021**

**WHEREAS,** the Borough of Califon has a need to acquire LEGAL SERVICES for the Borough of Califon PLANNING/ZONING BOARD 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, JONATHAN TESTA, ESQ. OF DORSEY & SEMRAU** has submitted a proposal indicating that the fee for all LEGAL services rendered shall be $145.00 per hour; and

**WHEREAS, JONATHAN TESTA, ESQ. OF DORSEY & SEMRAU** has completed and submitted a Business Entity Disclosure Certification which certifies that JONATHAN TESTA, 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 JONATHAN TESTA, 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 LEGAL services for the Borough of Califon Planning/Zoning Board 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 Municipal Clerk and Planning Board Chair and Recording Secretary to enter into a contract with JONATHAN TESTA, ESQ. OF DORSEY & SEMRAU as described herein, as an Attorney providing LEGAL services on behalf of the Borough of Califon Planning/Zoning Board for the year 2021; 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 2021-34 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESCHEDULE COUNCIL MEETING DATE FROM MONDAY, FEBRUARY 15TH (PRESIDENTS DAY HOLIDAY) TO TUESDAY, FEBRUARY 16TH**

Mayor and Council agreed that all would be available for the meeting on Tuesday, February 16th at 7:30 pm as advertised in the annual notice required by OPMA.

1. **RESOLUTION – APPROVAL OF SUPER 50/50 RAFFLE FOR 2021 – CALIFON FIRE COMPANY**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-35**

**BE IT RESOLVED** by the Borough of Califon Mayor and Council that the application for a Raffle license to hold a Super 50/50 raffle, submitted by the Califon Fire Co., is hereby approved for license issuance; and

**BE IT FURTHER RESOLVED** that Raffle License #2021-02RL is hereby issued to the Califon Fire Co. to hold a Super 50/50 Raffle whose drawing will be held on July 15, 2021 at 7:00 pm at the Califon Firehouse, 41 Main St., Califon, N.J. 07830; and

**BE IT FURTHER RESOLVED** that copies of the License, along with all supporting documentation and fees regarding Raffle License #2021-02RL be forwarded to the Legalized Games of Chance Control Commission as required by law.

Motion was made by C. Smith seconded by E. Haversang to adopt Resolution 2021-35 as red.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – RESERVE BUDGET TRANSFER**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-36**

2020 TRANSFER OF FUNDS

February 3, 2021

WHEREAS, IT APPEARS THAT THE UNEXPENDED BALANCE IN THE FOLLOWING ACCOUNT WILL NOT BE SUFFICIENT TO PAY OUTSTANDING BILLS:

10544599A Water

10544020A Telephone

AND WHEREAS, IT APPEARS THAT THERE WILL BE AN UNEXPENDED BALANCE IN THE FOLLOWING 2020 ACCOUNT**:**

10543099A Electricity

**NOW, THEREFORE, BE IT RESOLVED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CALIFON THAT THE FOLLOWING TRANSFERS BE AUTHORIZED AND WITHIN RESOLUTION IS THE AUTHORITY OF THE BOROUGH TREASURER TO MAKE SAID TRANSFERS:

AMOUNT FROM TO AMOUNT

$ 425.00 Electricity Telephone $ 413.00

Water 12.00

Motion was made by R. Baggstrom seconded by J. Collins to adopt Resolution 2021-36 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**COMMITTEE REPORTS**

Councilman Medea reported that Mark Anderson will be contacted to determine what, if anything, needs to be done to merge the Recreation Committee and the Parks Committee.

If combined with no issues, the Reorganization meeting may be scheduled for February 24th. Since no one has stepped forward to assume the leadership role, with the resignation of Amanda Altavilla, the leadership of this combined Committee will be leadership by Committee. Preparations for Memorial Day are pressing. Thought has been given to having a ceremony with no parade in 2021 or perhaps scheduling a town-wide scavenger hunt in lieu of a ceremony.

Councilman Medea spoke about the suggestions he has received for naming of the “Park with no name”. Gary Winters gave Councilman Medea the history of the site; Carl Burd’s grandmother Leila Burd, ran Burd’s Confectionary store on the site before it burned down, so he suggested “Leila Burd Memorial Park. Other suggestions were “Burd Park”; “Burd Memorial Park”, “Burdland”; “Apgarden” as well as a few others.

Councilman Medea reported that this discussion will continue; adding to it a decision on erecting a plaque, printed with the history of the site.

Councilman Medea asked if there was interest in the Statewide Insurance Fund Grant funds available for bleachers, computer security software, PPP and security features for the Municipal offices. The grant application is due in December; research into areas where funding might be useful will be ongoing.

Councilman Medea asked about the status of the River Rd. Improvement Project; funding for which to be allocated through a DOT grant. Mayor Daniel reported that the Borough Engineer has submitted the plans for this milling and paving project to the State DOT for approval and is awaiting word. Vendors/Contractors for this project will be obtained through the Morris County Co-op. A resolution of award will be available for the next Council meeting. There was a brief discussion on retaining a contractor for cleaning out the drains under River Rd. before the project commences. Mayor Daniel will contact Washington Twp. and Kinnelon for estimates.

Councilman Haversang reiterated Councilman Medea’s report that the 1st meeting of the Recreation and Parks merger will be set for the end of February.

Councilman Janas reported that the Planning Board reorganized on January 27th. The new Planning Board Attorney, Jonathan Testa, was present for this meeting. The Planning Board has begun discussions about merging the Historic Preservation Commission with the Planning Board. Borough Attorney, Mark Anderson has written an e-mail outlining the procedure for this merger.

Councilwoman Smith reported that the Board of Education met on January 20th. The enrollment at the school is at 90 students. Kindergarten roundup will be held on March 23rd. The school has reported that due to the pandemic and weather, the students and teachers have been going in and out of the virtual classroom.

Councilman Baggstrom expressed kudos to the DPW for the great job they have done clearing the roads of snow and ice during the last heavy snowstorm. The DPW will continue to clean up large piles of snow particularly at the island in front of the post office.

Councilman Collins reported that the Board of Health meeting was cancelled. The Environmental Commission is continuing to look into an Open Space/Recreation Plan as presented by Barbara Davis from the Land Conservancy of New Jersey. Councilman Collins stated that the Borough Engineer, Mark Anderson, wrote a very informative e-mail on the process of developing such a plan. The Planning Board would be the point on development of this plan and would work with the Planner as well as Ms. Davis. The Environmental Commission will recommend to the Planning Board that the Open Space/Recreation Plan, when formulated, be part of the Re-examination of the Master Plan. There is funding available for the re-exam of the Master Plan through the Highlands Council. Funding will also need to be in place for any professionals who may be involved with this project.

**MAYOR’S REPORT**

Mayor Daniel reported that he and the Borough Engineer, Tom Boorady, met via Zoom with the group of residents associated with the recent flooding event. The meeting lasted for an hour with a lengthy discussion on improvements for remediation of the stormwater project. One improvement that all agreed was a priority is the funneling of water into the culvert in back of the firehouse by making it deeper and narrower with the placement of blue stone and the placement of grating around the culvert. The second improvement needed is a new configuration of the grating found in the culverts behind the firehouse and 33 Main St. The baffles in the distribution chamber at the intersection of Main and Philhower need to be adjusted to better divert the water down Main St. Mayor Daniel will contact local contractors and ask them to meet him and Mr. Boorady to give estimates on the work. Councilman Baggstrom asked about what to do with the debris from upland on the open space tract. Mayor Daniel would like to see, if feasible, that once or twice a year, the debris upland is cleared and removed. Councilman Baggstrom suggested that a letter be drafted to all residents on that side of S.Main St. emphasizing “no dumping”. Councilman Haversang asked if the contractors would be asked to give an estimate based on job specifications. Mayor Daniel said that he would need to ask the Borough Engineer what would be best. Councilman Medea stated that this is his area of expertise and he would be more than willing to recommend contractors. Mayor Daniel will ask Kevin from the DPW if he might be able to weld the grates in question to take out the horizontal pieces letting the debris flow through and out.

**COMMENTS FROM THE PUBLIC**

There being no comments from the public, this portion of the meeting was closed.

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 9:24 pm.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator