**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING MINUTES**

**MARCH 1, 2021**

Mayor Charles Daniel called the 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 conducted via the online platform Zoom, has been provided in accordance with the Open Public meetings Act by publication of the annual 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 February 16, 2021.

For: J. Collins, E. Haversang, L. Janas, M. Medea, C. Smith

Opposed: None

Abstain: R. Baggstrom

**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 $17,767.18.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**COMMENTS FROM THE PUBLIC**

Due to the number of members of the public present at tonight’s meeting, Mayor Daniel altered the agenda to allow comments from the public at the beginning of the meeting.

David Rambo, resident of 70 Main St., addressed Mayor and Council requesting new signage regulating parking on Main St. in front of his house. Mr. Rambo is concerned with the amount of people parking in front of his house, oftentimes blocking his driveway. His concern is that traffic concerns and parking problems may increase as the weather warms; new picnic tables are placed in the park area across from his house and people park along Main St. to walk the trail. After a lengthy discussion involving the Police chief, Jeff Almer, Mr. Rambo requested and Council agreed to ordering 3 new parking signs to replace the ones that are worn from age. Police Chief Almer addressed the 2 drop downs along the sidewalk in front of Mr. Rambo’s house saying that he thought they were painted yellow at some point to warn pedestrians about the drop downs; not to prevent motorists from parking in front of them as though they were handicapped parking spaces. Before agreeing to Mr. Rambo’s request to re-paint the yellow lines on the drop downs, Mayor and Council will ask Borough Engineer, Tom Boorady, to come to Califon to look and give his opinion on the 2 recessed areas. Mr. Rambo asked about enforcement of the 2-hour parking limit on Main St., that he feels is exceeded on a daily basis, with some cars parking there continuously for 3-4 days. Police Chief Almer recommended that Mr. Rambo call the Police Department when he notices that a car has been parked for days without being moved. The Police Department will issue summonses as necessary. Police Chief Almer also recommended that, if Council agrees, the Police begin to issue red cards on the windshield of vehicles that have exceeded the 2-hour parking limit, as a warning. Mayor Daniel thanked Mr. Rambo for bringing his concerns to the Council.

Wesley and John Lynch, residents of 78 Main St. addressed Mayor and Council with serious concerns about the recent streetlight program initiated by the Environmental Commission; led by Environmental Commission member Jennifer Gross. Ms. Lynch asked if Mayor and Council received their letter that she e-mailed prior to tonight’s meeting. Ms. Lynch explained that her research into this project began because of the change of light on the bridge from sodium vapor to a very harsh and overly bright LED bulb. The light shines too brightly onto her lawn and into the house, disturbing their sleep and their peace. This light was one of the 12 streetlights that JCP&L was authorized to change from sodium vapor bulbs to LED bulbs; some with shields installed as well. Ms. Lynch reviewed her letter with Council and explained the research she found, citing various links to pertinent articles. Ms. Lynch reviewed the Kelvin scale; Kelvins being a measure of heat and color. The LED bulbs are “cold” and bright and the sodium vapors are on the “warm” and dimmer end of the scale. The current bulb is 4000 Kelvins and should be 3000 or less in residential areas. Ms. Lynch stated that these lights can cause sleep disturbances, pollute the night sky, cause suffering to animal and insects, etc. She recommended that the wattage be reduced from 50 watts to 30 watts. Both she and her husband stated that this project is not good for our small town right now. Mr. Lynch asked that the town wait until the technology is better; which he said is being worked on currently. Both requested that the town please take the LED off the streetlight on the bridge and return to a sodium vapor bulb. Jennifer Gross spoke stating that she is not sure JCP&L will do this swap; now that it has been changed. Ms. Gross did say that perhaps they can replace with a bulb that is 3000 kelvins and an additional shield. Ms. Gross also stated that she is not sure JCP&L can replace with an incandescent/CFL light; as Councilman Collins suggested.

Councilman Collins stated that the Environmental Commission had discussions about this program and the Lynch’s information and requests will be shared with the EC for further discussions. Until that time, Councilman Collins said that the EC will put a “pause” on going forward with the next 20 streetlights; while attempting to resolve the swap out of bulbs for the Lynch’s on the streetlight on the bridge. Ongoing efforts to work with JCP&L on this project will be continued to move this project forward.

**POLICE**

Police Chief, Jeff Almer, reported that the new marijuana legislation will take some time to work through to make some necessary changes. Currently, the police will be limited in their dealings with underage kids who have been caught with alcohol, marijuana or drugs. The Police will now be hampered by not being able to notify parents if their children are caught with any of these products. Years of police regulations have been done way with.

Mayor Daniel stated that each municipality has the opportunity to opt-in or opt-out to allow the retail sale of marijuana by August, 2021.

**CORRESPONDENCE**

\_\_ photos and e-mail from Sgt. Michael Hade; re: list of road signs that need to be replaced n Main Street in the area of #70 Main St.

\_\_ Califon School Board of Education agenda: special meeting on March 4, 2021 at 6:00 pm

\_\_ Hunterdon Area Energy Cooperative (HAEC) rider for city of New Brunswick signed by Mayor and Clerk dated 3/1/2021

**OLD BUSINESS**

1. **RESOLUTION – INTRODUCTION OF ORDINANCE 2021-02 STORMWATER CONTROL**

The Clerk read Ordinance 2021-02 by title: **AN ORDINANCE REVISING AND RE-ADOPTING CHAPTER 15.16, ENTITLED “STORMWATER CONTROL”, OF THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-39**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2021-02 entitled: **AN ORDINANCE REVISING AND RE-ADOPTING CHAPTER 15.16, ENTITLED “STORMWATER CONTROL” OF THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY** is hereby introduced upon first reading; and

**BE IT FURTHER RESOLVED** that Ordinance 2021-02 is hereby scheduled for final adoption following a public hearing on April 5, 2021; and

**BE IT FURTHER RESOLVED** that Notice of Ordinance and Summary will be published in the March 10, 2021 edition of the Hunterdon Review as required by law.

Motion was made by M. Medea seconded by L. Janas to adopt Resolution #2021-39 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **DISCUSSION – DRAFT ORDINANCE 2021-03 MERGING OF RECREATION AND PARKS COMMITTEES**

Mayor Daniel reported that Borough Attorney, Mark Anderson, forwarded a draft ordinance from another town as a template for an ordinance for Califon to combine the Parks and Recreation Committees. Councilman Medea reported that there will be some new members for the new committee and did confirm that the Parks Committee Chair, Chris Keiser, is not interested in continuing. Attorney Anderson stated that the number of members for the new committee is not mandated by statute and is entirely up to the Council. When discussing whether or not new members must live in the Borough, Councilman Haversang brought up that Megan Sergeant, who is 18 years but not a resident of Califon Borough, has volunteered to be the Chairperson. Councilman Medea recommended that the committee be comprised of 10 members + volunteers; and Attorney Anderson recommended 2 Council persons who would have annual overlapping terms to provide continuity. There was a short discussion on establishing fees and establishing rules to present to Council as well as setting a budget. Attorney Anderson will formulate a final draft of this ordinance for possible introduction at the meeting on the 15th.

**NEW BUSINESS**

1. **RESOLUTION – APPROVALOF 2021 PROFESSIONAL SERVICES CONTRACT FOR JOSEPH TAURIELLO, ESQ., SPECIAL LITIGATION COUNSEL - $175.00 PER HOUR**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-40**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – LEGAL; SPECIAL LITIGATION COUNSEL SERVICES FOR 2021**

**WHEREAS,** the Borough of Califon has a need to acquire LEGAL; SPECIAL LITIGATION COUNSEL for 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, JOSEPH TAURIELLO, ESQ.** has submitted a proposal indicating that the fee for all LEGAL; SPECIAL LITIGATION COUNSEL services rendered shall be $175.00 per hour; and

**WHEREAS, JOSEPH TAURIELLO, ESQ.** has completed and submitted a Business Entity Disclosure Certification which certifies that JOSEPH TAURIELLO, 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 JOSEPH TAURIELLO, 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; SPECIAL LITIGATION COUNSEL 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 Municipal Clerk to enter into a contract with JOSEPH TAURIELLO, ESQ. as described herein, as an ATTORNEY providing LEGAL; SPECIAL LITIGATION COUNSEL services on behalf of the Borough of Califon 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 C. Smith seconded by R. Baggstrom to adopt Resolution 2021-40 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**COMMITTEE REPORTS**

Councilman Medea reported that the final version of Ordinance 2021-03; the merger of the Parks and Recreation Committees may be ready for adoption at the March 15th Council meeting, as had been discussed earlier in the meeting.

Councilman Haversang reported that there will be a meeting of the Recreation and Parks Committee on March 10th to discuss the merger of the two committees. The Recreation Committee has decided not to have the Easter Egg hunt this year due to Covid. Attorney Anderson recommended continuing Recreation activities as before until the merger ordinance is ready. He reiterated that the outdoor allowance is 250 but with social distancing. When asked about how to handle scheduling of sports activities, Mr. Anderson stated that there is broad immunity however, he advised that sports groups and all groups should be made aware about required town protocol and guidelines.

Councilman Janas reported that the Planning Board met on the 24th of February. At this meeting there was a conversation about the recommendation of the Environmental Commission to consider an open space/recreation plan. The Borough Planner, James Kyle, was at the meeting to discuss the update to the Master Plan; perhaps incorporating the open space/recreation plan into the update. Councilman Collins added that Mr. Kyle is looking at available funding options from the Highlands Council to cover the cost of these projects. Councilman Janas reported that there may be as much as $50,000-$100,000 available from the Highlands Council.

The next Planning Board meeting will be held on March 24th.

Councilwoman Smith reported that the Board of Education had a short meeting on February 17th. The enrollment is holding at 93 students with 10 tuition paying students included. Three teachers are out on maternity leave. There will be a long-range planning meeting on Wednesday, March 3rd.

Councilman Baggstrom read the Police report for the month of January. There have been numerous complaints about shoveling snow from sidewalks and the Police have given out warnings and some summonses.

Councilman Baggstrom reported that the DPW has done a great job of plowing and taking care of the snow during the last few storms. Roads have taken a beating this winter with lower Raritan Drive and Cokesbury at the top of the list.

Councilman Baggstrom is in ongoing conversations with Kevin Pyatt, DPW Director, regarding the issue of a dumpster for flooding debris.

Councilman Baggstrom recommended working with our Engineer to develop a new priority list of roads needing repairs.

Councilman Collins reported that the Board of Health will meet on Wednesday. The Environmental Commission will continue discussions about next steps with the streetlight project. Students from the HC Vocational School may attend the next EC meeting with their teacher, Hilary Clifton.

**MAYOR’S REPORT**

Mayor Daniel reported that he has held 2 budget meetings with CFO Amy Monahan, the Clerk and Councilman Janas. The budget to date will be reviewed with the Council at the next Council meeting on March 15th at 6:30 pm. If possible, the budget may be introduced at this meeting.

The budget will contain capital projects involving a number of DOT grants for which we have received a low level of funding (under 50%) requiring additional funding. Additional funding may be sourced either through debt or capital improvements.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public. Councilman Medea asked who is responsible for snow removal on the sidewalks of commercial businesses. Mayor Daniel responded that it would be the landlord who is responsible.

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 9:26 p.m.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator