**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING**

**JUNE 21, 2021**

Mayor Charles Daniel called the regular 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 in person meeting of the Califon Borough 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.”***

**FLAG SALUTE**

**ROLL CALL: PRESENT: R. BAGGSTROM (ARRIVED 8:30 P.M.), J. COLLINS,**

 **M. MEDEA, C. SMITH**

 **ABSENT: E. HAVERSANG, L. JANAS**

 **ALSO PRESENT: BOROUGH ATTORNEY, MARK ANDERSON**

**LARRY CARSON, PRESIDENT, AQUA NEW JERSEY WATER CO.**

Mayor Daniel altered the agenda to introduce Larry Carson from Aqua New Jersey Water Co. to answer questions from Council and the public about the recent occurrences of brown water experienced by certain residents in various areas of the Borough. After some residents expressed complaints about the frequent events over the last few months of brown water ruining laundry; staining sinks, showers and toilets; causing rashes and skin conditions and ultimately being undrinkable, Mr. Carson explained that the brown water is caused by an excess of iron in the water tank that gets churned up and flows out of old cast iron the pipes as brown water. Mr. Carson explained that the most recent brown water event occurred because of hydrant flushing, heavy water uses in town and a water main break, that resulted in low water levels in the tank by well #2. Mr. Carson stated that indiscriminate hydrant flushing and water main breaks will cause reverse flow and rust blooms. Mr. Carson assured Mayor and Council and concerned residents that Aqua’s plan is to empty this tank and clean and paint the inside and outside this fall; ridding the tank of the sediment at the bottom. This project has not been done since 1997, so the painting of the tank and subsequent frequent flushing will help to control the iron sediment. Residents will be notified when this painting project will be scheduled. While painting, there will be water tanks to provide good water. One resident, Jason Ruggiero, emphasized that Aqua should be advised to replace the old cast iron pipes in that section of the system with new pipes. Councilman Medea asked that Aqua notify the town and the affected residents when there is work being done on the system and that there may be brown water issues as a result. Councilwoman Smith asked if there is a report on water testing indicating safe levels of the water being supplied by Aqua’s wells. Mr. Carson answered that the report is done on a regular basis and can be viewed on the DEP website. Councilwoman Smith suggested these reports be linked to the town website for public viewing. Residents asked Mr. Carson that if they provide their information to him through the Borough Clerk, would he communicate to each of them where their homes are in relation to the whole water system. Mayor and Council asked Mr. Carson to please notify the town when there is any project or remediation underway by Aqua NJ.

**APPROVAL OF MINUTES**

Motion was made by C. Smith seconded by M. Medea to approve the minutes from the meeting held on June 7, 2021.

For: J. Collins, M. Medea, C. Smith

Opposed: None

Absent: R. Baggstrom, E. Haversang, L. Janas

**MOTION CARRIED**

**LIST OF BILLS**

Motion was made by M. Medea seconded by J. Collins to approve the list of bills in the amount of $94,745.33.

For: J. Collins, M. Medea, C. Smith

Opposed: None

Absent: R. Baggstrom, E. Haversang, L. Janas

**MOTION CARRIED**

**OLD BUSINESS**

1. **RESOLUTION – INTRODUCTION OF ORDINANCE 2021-08 – CANNABIS**

Mayor and Council discussed Ordinance 2021-08 as prepared by Borough Attorney, Mark Anderson. Mr. Anderson explained that the Ordinance, as prepared, is to fully opt-out with the ability to opt in at any time and at any point; unless Council wishes to include opting-in for only “retail” establishments that Mr. Anderson has indicated as an option in brackets. Mayor Daniel would like Council to consider, at some point, perhaps opting in for retail due to the generation of much needed budgetary revenue. Councilman Collins suggested that the Council vote to opt-out for now and form a sub-committee to thoroughly research and try to comprehend the various aspects of the new cannabis law; opting in for “retail” at some point if conditions look favorable.

Mayor and Council agreed that this would be the best idea and determined to introduce the opt-out Ordinance 2021-08 deleting the bracketed opt-in “retail” option. The selection and membership of the exploratory committee will be on the agenda for the next meeting.

The Clerk read Ordinance 2021-08 entitled: **AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, BY PROHIBITING THE OPERATION OF ALL CLASSES OF CANNABIS ESTABLISHMENT, CANNABIS DISTRIBUTORS AND CANNABIS DELIVERY SERVICES WITHIN THE BOROUGH OF CALIFON.**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-67**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2021-08 entitled: **AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, BY PROHIBITING THE OPERATION OF ALL CLASSES OF CANNABIS ESTABLISHMENT, CANNABIS DISTRIBUTORS AND CANNABIS DELIVERY SERVICES WITHIN THE BOROUGH OF CALIFON** was introduced upon first reading; and

**BE IT FURTHER RESOLVED** that Ordinance 2021-08 will be considered for final passage on July 19, 2021 following the public hearing; and

**BE IT FURTHER RESOLVED** that Notice of Introduction of Ordinance 2021-08 will be published in the June 30, 2021 edition of the Hunterdon Review as required by law.

Motion was made by C. Smith seconded by J. Collins to adopt Resolution 2021-67 as read.

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

Opposed: None

Absent: E. Haversang, L. Janas

**MOTION CARRIED**

1. **STATUS OF WEIS DAM**

Mayor and Council tabled this discussion until Councilman Haversang is in attendance at the next Council meeting.

**NEW BUSINESS**

1. **RESOLUTIONS – APPROVAL OF 2021-22 LIQUOR LICENSE RENEWALS**

The following Resolutions were introduced for adoption:

**RESOLUTION 2021-68**

**BOROUGH OF CALIFON**

**COUNTY OF HUNTERDON**

**STATE OF NEW JERSEY**

**RESOLUTION 2021-68**

 **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, 2021; 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 R. Baggstrom seconded by M. Medea to adopt Resolution 2021-68 as read.

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

Opposed: None

Absent: E. Haversang, L. Janas

**MOTION CARRIED**

**RESOLUTION 2021-69**

 **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, 2021; 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 R. Baggstrom seconded by M. Medea to adopt Resolution 2021-69 as read.

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

Opposed: None

Absent: E. Haversang, L. Janas

**MOTION CARRIED**

**RESOLUTION 2021-70**

 **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, 2021; 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**

Motion was made by R. Baggstrom seconded by M. Medea to adopt Resolution 2021-70 as read.

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

Opposed: None

Absent: E. Haversang, L. Janas

**MOTION CARRIED**

**COMMITTEE REPORTS**

Councilman Medea reported that there will be a Street Fair Committee meeting on June 24th. The Street Fair will be held on October 10th. Councilman Medea worked on trying to secure a fireworks display for the 4th of July but there were financial considerations hampering the plan and not enough time to obtain permits. The Fire Co. is having their 100th anniversary and asked if the town might want to join with them for a fireworks display. If not then, perhaps for Labor Day or after the Street Fair.

Councilman Medea will call the Washington Twp. DPW regarding the infield mix for the baseball fields at the park.

Councilwoman Smith reported that the Board of Education met on June 16th and thanked the Fire Co. for the firetruck rids for the kindergarten graduation. The BOE will be applying for 3 COVID grants in the total amount of $95,000. The pre-school roster is full with a waiting list.

The BOE has reported that there is good interest for tuition students to enroll this coming school year. The results were good for the recent assessment testing conducted with students.

Councilman Baggstrom reported that he is in favor of re-doing the road priority list last completed a few years ago. Councilman Baggstrom reported that he has noticed damage around the storm drains on Raritan Dr.

Councilman Collins reported that the Environmental Commission met on June 8th and at the meeting Councilman Haversang was present to discuss plans to create a new trail at the Nellie Hoffman house. Lori Jenssen, Chair of the EC, did apply for an environmental grant on behalf of the Borough.

**MAYOR’S REPORT**

Mayor Daniel reported that he attended the 8th grade graduation at the Califon School and handed out the “Civic Leadership Award”. There were 15 graduates and the speeches they gave were impressive, particularly the one given by Aiden Fitzpatrick O’Neil, who dressed up like Winston Churchill and whose speech, English accent and all, replicated one given by Churchill some time ago. Councilman Medea added that the graduation ceremony at Voorhees High School was a great affair also.

**COMMENTS FROM THE PUBLIC**

**None**

**EXECUTIVE SESSION**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-71**

**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. 10:4-6 ET SEQ.**

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

**WHEREAS,** the Open Public Meetings Act, specifically N.J.S.A. 10:4-12, provides that an “Executive Session”, a portion of a meeting not open to the public, may be held for certain specified purposes when authorized by resolution; and

**WHEREAS,** the Borough Council of the Borough of Califon has determined that it is necessary to discuss in an Executive Session, not open to the public, certain matters relating to the item or items authorized by N.J.S.A. 4-12b and designated below:

1. “Attorney-Client; acquisition and use of Borough property”

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Califon that an Executive Session, not open to the public, shall be held on June 21, 2021, AT 9:07 PM in the Califon Municipal Building, 39 Academy St., Califon, N.J. 07830, immediately after the adoption of this Resolution, for the discussion of the specific items designated above.

At the conclusion of the Executive Session, the regular meeting:

1. Depending on the outcome of the discussion in Executive Session, may continue, and if so, further public discussion and action may occur.

It is anticipated that minutes of the Executive Session may be disclosed to the public:

1. The attorney-client privilege has no expiration date. The minutes may be disclosed to the Borough Council when and if it is determined that the public interest no longer requires confidentiality.

Motion was made by M. Medea seconded by C. Smith to adopt Resolution 2021-71 as read.

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

Opposed: None

Absent: E. Haversang, L. Janas

**MOTION CARRIED**

Motion was made by C. Smith seconded by R. Baggstrom to reconvene the regular meeting at 9:44 pm.

There being no further business to come before Council at this time, motion was made by C. Smith seconded by R. Baggstrom and unanimously accepted to adjourn at 9:45 p.m.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator