**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING**

**JUNE 7, 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, J. COLLINS, E. HAVERSANG, L. JANAS,**

**M. MEDEA, C. SMITH**

**ALSO PRESENT: M. ANDERSON, BOROUGH COUNSEL**

**ABSENT: NONE**

**APPROVAL OF MINUTES**

Motion was made by C. Smith seconded by J. Collins to approve the minutes from the meeting held on May 17, 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 M. Medea seconded by R. Baggstrom to approve the list of bills in the amount of $51,828.03.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**TAX COLLECTOR’S REPORT**

The Tax Collector’s Report was reviewed and filed.

**CORRESPONDENCE**

\_\_ Mayor Daniel discussed problems as a result of the major rain storm that occurred last week. Major flooding occurred down Main St. with the worst flash flooding happening behind 31 & 33 Main St. and at the culvert in back of the firehouse. The grates at both culverts were clogged with debris that water overflowed both culverts, resulting in serious basement flooding in several homes. Mayor Daniel stated that the DPW did a good job cleaning up quickly and the Police were helpful with traffic control, etc. Mayor Daniel explained that he and the engineer had met with Tobin Berkman a couple of weeks back to determine what mitigation would help this re-curring flooding. Mr. Barkman drafted a proposal to build a wall system that would funnel the water in and then build a fence around it. Mr. Barkman may also be able to adjust the baffle at the diversion chamber at the intersection of Philhower Ave. and Main St. This will help alleviate the flooding that occurs at the Califon lumber yard by diverting the water down Main St. Mayor Daniel will get two more quotes for the mitigation work. Mayor Daniel reiterated that these storms will get worse and the town may have to look at some mitigation efforts uphill with the NJWSA. Councilman Medea suggested that water runoff from Cokesbury Rd. should be looked into as well as working with Hunterdon County (Rt. 512) to run water down Rt. 512 (Academy St.) instead of onto the open space tract.

\_\_ DOT; application now being accepted for the 2022 Safe Routes to School (SRTS)

\_\_ e-mail from Kevin Pyatt; costs for 2021 brush clean up $5,732.82

**POLICE REPORT**

Chief Jeff Almer reported that the numbers for the last month are good. Both of the cameras in the park were stolen so Chief Almer recommended additional signage such as “Under Surveillance” or “Smile; You’re on Camera”. Councilman Medea recommended that the Council revisit the camera idea and the cost involved. Councilman Baggstrom offered to research and look into some options for new cameras.

**OLD BUSINESS**

1. **PATTY NANNA – NATIONAL REGISTER MARKER FROM THE WILLIAM G. POMEROY FOUNDATION – PLACEMENT OF HISTORIC MARKER**

The Clerk reported that Patty Nanna, volunteer of the Califon Historical Society, was going to be here tonight but could not make it. Ms. Nanna is revisiting applying for an Historic Marker for the town’s Historic District. After discussing a location for the placement of this marker, several ideas were considered: placement at the train station property; the island in front of the Post Office and the bulleting board on Main St. Ms. Nanna will advise the William Pomeroy Foundation of the suggestions when applying.

1. **MAYORAL APPOINTMENT OF JASON RUGGIERO TO THE PLANNING BOARD (CLASS IV; CITIZEN MEMBER) FR A 4 YEAR TERM ENDING 12.31.24**

Mayor Daniel formally appointed Jason Ruggiero to the Califon Planning Board as a Class IV Citizen Member for a 4-year term ending 12/31/24. Mayor Daniel reminded Mr. Ruggiero that he will need to sign up for training for this position and can ask the Planning Board Secretary, Catherine Innella about the training schedule, etc.

1. **CANNABIS LEGISLATION**

Mayor Daniel reminded Council that he had handed out a power point presentation at the last meeting to each Council member that outlined the mandatory 6 cannabis licenses; some or all of which the town will need to apply for if the town decides to opt-in. Mayor Daniel stated that the only license that is feasible for the town is the “retail” license. Mayor Daniel further explained that the Council needs to vote to either opt-in or opt-out by ordinance and the deadline is August 21st. Council needs to let the Borough Attorney know soon what Ordinance he will need to draft. If the Council decides to opt-in, the commitment is for 5 years. If the decision is to opt-out now, the Council can opt-in at any time. If Council takes no action by the deadline, the town will automatically opt-in. Mayor Daniel stated that despite many inconsistencies with the new law currently; the issue of the revenue that will be generated by opting-in should be considered carefully. The revenue will be a straight 2%. A lengthy discussion ensued and one thought was to out-out now so that the issue can be researched more carefully and buy the town time. Discussed also was how having a retail business would impact the Master Plan and zoning and the upcoming re-examination report. Borough Attorney suggested he draft an ordinance to opt-in for retail and opt-out for the remainder of the licenses and have it for the next Council meeting when Council will make a final decision.

1. **RESOLUTION – AUDIT; PERIOD ENDING 12/31/20 – GROUP AFFIDAVIT FORM**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-62**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon con­viction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Borough of Califon Councilof the Borough of Califon, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion was made by R. Baggstrom seconded by L. Janas to adopt Resolution 2021-62 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE 2021-06 – SALARY & WAGE**

The Clerk read Ordinance 2021-06 by title: **AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS OF THE BOROUGH OF CALIFON IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY**

Mayor Daniel opened the public hearing on Ordinance 2021-06. There being no comments from the public, the public hearing on Ordinance 2021-06 was closed.

The following Resolution was introduced for adoption:

**RESOLUTION 2021-63**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2021-06 entitled: **AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS OF THE BOROUGH OF CALIFON IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY** is hereby adopted upon final reading; and

**BE IT FURTHER RESOLVED** the Notice of Final Passage of Ordinance 2021-06 will be published in the June 16, 2021 edition of the Hunterdon Review as required by law.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2021-63 as read

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – STRIKING SPECIFIC SALARIES FOUND AS RANGES IN THE SALARY & WAGE ORDINANCE**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-64**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that the following salaries be established and approved for certain employees of the Borough of Califon for calendar year 2021:

Clerk: $62225.00

Treasurer: 11,950.00

Zoning Officer: 9,866.00

**BE IT FURTHER RESOLVED** that the aforementioned salaries along with the salaries of the remainder of the employees of the Borough of Califon be authorized by Ordinance 2021-06 entitled: **AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS OF THE BOROUGH OF CALIFON, IN THE COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY,** scheduled for final adoption on June 7, 2021.

Motion was made by R. Baggstrom seconded by M. Medea to adopt Resolution 2021-64 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – ADOPT ORDINANCE 2021-07 – STORMWATER CONTROL**

The Clerk read Ordinance 2021-07 by title: **AN ORDINANCE REPEALING ORDINANCE 2021-02 AND REVISING AND READOPTING CHAPTER 15.16, ENTITLED: “STORMWATER CONTROL”, OF THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY**

Mayor Daniel opened the public hearing on Ordinance 2021-07. There being no comments from the public, the public hearing was closed.

The following Resolution was introduced for adoption:

**RESOLUTION 2021-65**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2021-07 entitled: **AN ORDINANCE REPEALING ORDINANCE 2021-02 AND REVISING AND RE-ADOPTING CHAPTER 15.16, ENTITLED: “STORMWATER CONTROL”, OF THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY** is hereby adopted upon final reading; and

**BE IT FURTHER RESOLVED** that Notice of Final Passage of Ordinance 2021-07 is to be published in the June 16, 2021 edition of the Hunterdon Review as required by law.

Motion was made by C. Smith seconded by E. Haversang to adopt Resolution 2021-65 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**NEW BUSINESS**

1. **RESOLUTION – MUNICIPAL ALLIANCE**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-66**

**WHEREAS,** the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS,** the Borough Council of the Borough of Califon, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

**WHEREAS,** the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS,** the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hunterdon;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Califon, County of Hunterdon, State of New Jersey that the Borough of Califon hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Voorhees Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR $ 7,306.00

Cash Match 1,826.50

In-Kind 5479.50

2. The Borough Council acknowledges the terms and conditions for administering the

Municipal Alliance grant, including the administrative compliance and audit

requirements

1. The Borough Council further acknowledges that the Hunterdon County Educational Services Commission shall act as Fiscal Agent to all Hunterdon County Municipal Alliance Consortiums to provide a streamlined process for the reimbursement of expenditures.

Motion was made by R. Baggstrom seconded by J. Collins to adopt Resolution 2021-66 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – AUTHORIZING MASTER PLAN RE-EXAMINATION REPORT**

This agenda item was tabled until the next Council meeting, June 21, 2021.

1. **APPROVAL TO ALTER MUNICIPAL OFFICE HOURS TO MONDAY THRU THURSDAY, 9:00 AM TO 5:00 PM; CLOSED FRIDAYS FOR THE MONTHS OF JUNE, JULY AND AUGUST**

Council unanimously confirmed the alteration to municipal office hours to Monday thru Thursday, 9:00 am to 5:00 pm; to be closed Fridays for the months of June, July and August.

**COMMITTEE REPORTS**

Councilman Medea reported that the next meeting of the Parks and Recreation Committee will be held on the 9th when there will be a discussion about the Street Fair. The Memorial Wall was well received to honor Memorial Day and there is agreement that the Memorial Day Parade will resume next year; 2022. Councilman Medea asked for feedback on the possibility of having the town pay for fireworks for the 4th of July. There will be permit requirements and there was a short discussion about the possibility of contributions. Councilman Medea will ask the CFO for the balances in “Celebration of Public Events” line item and the Recreation Committee line item.

Councilman Janas reported that the PB met on May 19th. At that meeting, there was a discussion on the variance application of Peter Near’s property at 101-103 Philhower Ave. Beth McManus, an associate of Jim Kyle, Borough Planner, gave a presentation and proposal for the Master Plan Re-Examination Report, due to be completed this year. She also discussed the Open Space/Recreation Plan and the Highlands funding that may help to pay for these projects. The next PB meeting will be held on June 16th.

Councilman Haversang discussed his proposal to create a passive recreation trail on the Nellie Hoffman property. He explained that he attended the last Environmental Commission meeting to present this idea and the EC was enthusiastic about this project. Councilman Haversang has been working with the Environmental Commission Secretary, Karen Mastro and Julie Shelley from the New Jersey Water Supply Authority to possibly begin the trail this Saturday with volunteers. The Mayor and Council provided favorable feedback on the project and supported the project commencing this coming Saturday.

Councilwoman Smith had no report for tonight’s meeting

Councilman Baggstrom asked if the Council had inquired with the DPW about possibly doing chip/sealing on a road or two this summer. The Clerk reported that when asked about chip/sealing, the DPW said that they are not doing any chip/seal this summer in Tewksbury or Califon. Councilman Baggstrom asked about the list of roads prioritized by deteriorated condition and suggested this be an agenda item for the meeting on 6/21.

Councilwoman Smith asked about the status of the American Rescue Act funding and if any of these dollars, if received, can be used for infrastructure projects.

Councilman Collins reported that the Environmental Commission will meet tomorrow.

**MAYOR’S REPORT**

Mayor Daniel reported that he will be away on vacation from June 8th thru June 15th.

**COMMENTS FROM THE PUBLIC**

**None**

Council agreed to the following alteration to the Council meeting schedule for summer:

July 5th – cancelled

July 19th – to be held

August 2nd – cancelled

August 16 – to be held and may be by Zoom

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 at 9:25 p.m.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator