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**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING**

**July 19, 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, L. JANAS**

 **M. MEDEA, C. SMITH**

 **ABSENT: E. HAVERSANG,**

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

Due to the number of residents wishing to speak, the Mayor moved agenda item #12 Comments from the Public to # 4 on the agenda.

**COMMENTS FROM THE PUBLIC**

Bob Grant 45 Main St, Califon- Mr. Grant advised that he was glad to see that the Council has decided to adopt an Ordinance to prohibit the operation of the production or sales of cannabis in Califon. Mr. Grant advised he has spoken with many people from cities that sell and distribute cannabis and he was told that they regret doing so. Mr. Grant feels it would not be good for Califon and feels it would lead to a problem with homelessness.

John Kostick, 59 River Rd, Califon- Mr. Kostick advised he was disappointed as he was promised that the discussion of the new trail off of Nellie Hoffman property would be an agenda item. Mr. Kostick asked if he had a time limit and the Mayor advised that he would not place a time limit. Mr. Kostick explained that he felt that the Council should vacate the decision to proceed with the project of installing a trail. Mr. Kostick advised he believes this trail was established without a well thought out plan and did not obtain suggestions from the neighboring properties or residents. He would like the Council to rescind any plans to continue to establish this trail until a well thought out plan is established.

Benjamin Brandner, 59 Railroad Ave, Califon- Mr. Brandner stated that he felt the making of this trail was done hastily and would like to make sure that this land remains in its natural state. Mr. Brandner advised that his father has lived by this land for 35 years, respects and takes care of the land. He would not like to see vandalism begin to occur such as graffiti on the rocks and garbage along the trail.

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Peter Brander, 59 Railroad Ave, Califon- Mr. Brander stated that he is not totally against this trail. He would not want to stop anyone from walking in the woods. Mr. Branders concern was having a lot of out of towners coming into Califon to use this trail. Mr. Brandner advised that they have enough people that drive down their road and turn around in his driveway.

Councilman Medea advised that he understands the concern over graffiti and garbage, as being on the Parks Committee for over 20 years, he has seen these issues at the park. Mr. Medea advised he would not be opposed to placing this matter as an agenda item for a future meeting.

Mayor Daniels advised that he also believes that the Parks & Recreation Committee should take a look at this trail and take these concerns into consideration. After the Parks and Recreation Committee have looked into this, we can then put this on as an agenda item for a council meeting.

Kate Matlack, 10 Pershing Ave, Califon- Ms. Matlack advised that she is a teacher and she knows that especially middle school age kids tend to hang out and make bad decisions. She is concerned that due to the location, it would make it difficult for first responders to get to a party if they became incapacitated along the trail or up on the rocks. Ms. Matlack also advised that she was concerned about litter.

John Kostick, 59 River Road, Califon- Mr. Kostick advised that he was unclear as to what our decision was, when we say that we will take it under consideration. He wanted to know what guarantee he has that the council will vacate our decision.

Councilman Janas asked the Borough Attorney, M. Anderson, what the Council can do in this situation when there was no Resolution or roll call vote made but just discussion and agreement?

Attorney M. Anderson advised that the council does not have to do anything there is no action for the Council to take.

Councilman Medea advised that. there are no signs for this trail and only leaves were moved to make a path along with tape tied around trees. It would not be difficult to remove the tape until this is revisited and he has no problem with this.

Councilwoman Smith advised that she agreed that we could have the Parks & Recreation review this matter and the council can revisit this and place this on a future agenda. Councilwoman Smith advised she could not even locate this trail which she knew was off of the Columbia Trail where she runs every day. She does not know of anyone that even knows of it.

Councilman Collins introduced himself and advised that he has no problem placing this project on hold and agrees that it should be in the Parks and Recreation department.

Mayor Daniels asked Councilman Medea if this could be placed on the Parks and Recreation Agenda. Councilman Medea advised that right now all members are very busy with the planning of the Street Fair and he could not see them looking at this until September or October but that they could place it on their agenda then.

Mr. Kostick asked if this trail has been an agenda item on the Parks & Recreation and if they keep minutes.

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Councilman Medea advised that the trail has not been on their agenda or discussed at their meetings. He advised that they do keep minutes.

Ms. Matlack advised that she also wanted to come to the meeting to let us know that she is getting brown water and wanted to know why.

Mayor Daniel advised that this matter was discussed at the June 21st meeting where the President of Aqua water came to the meeting to listen to residents and advise of the current situation of our wells. Mayor Daniel advised that the minutes of this meeting will be available as soon as they are approved. Mayor Daniel gave Ms. Matlack the explanation for the discoloration that was given to us by Aqua and suggested that she contact Aqua to advise of her situation so they can respond accordingly. Ms. Matlack advised she has received 5 to 6 requests for samples from Aqua since she has been here, but she never finds out the results of the testing.

Councilman Medea advised that the results are available on the DEP website.

**APPROVAL OF MINUTES**

Motion was made by R. Baggstrom seconded by C. Smith to approve the minutes from the meeting held on June 21, 2021.

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

Opposed: None

Absent: E. Haversang

**MOTION CARRIED**

**APPROVAL OF EXECUTIVE MINUTES**

Motion was made by C. Smith seconded by R. Baggstrom to approve the executive minutes from the meeting of June 21, 2021.

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

Opposed: None

Absent: E. Haversang

**MOTION CARRIED**

**LIST OF BILLS**

Councilwoman asked if the check for $14,692.00 payable to the Califon Fire Company is a donation? Mayor Daniel advised that is a reimbursement for the generator received through the FEMA grant.

Motion was made by L. Janas seconded by C. Smith to approve the list of bills in the amount of $230,819.75.

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

Opposed: None

Absent: E. Haversang

 **MOTION CARRIED**

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**TAX COLLECTOR’S REPORT**

The Tax Collector’s report was reviewed and filed

**CORRESPONDENCE**

Deputy Clerk, K. Mastro advised that Washington Township Police called to advise that Mill Street at the intersection of Main will be closed for one day on Tuesday, July 20th for roadwork.

\_\_Monthly court report for the month of June

\_\_Police Report for the month of June

\_\_Letter from the Dept of Transportation regarding the Municipal Aid regulations and grant award deadline of November 21, 2021.

\_\_Email from Councilman J. Collins volunteering to organize and run the committee to research and explore the legislative and administrative requirements of cannabis businesses.

\_\_\_ quote from IWS Waste Services for the September Household goods bulk pick up.$1,500 per load, + $85.00 a ton.

\_\_6-30-21 estimate and inventory of declining ash trees at the park and 2 trees on pershing ave that were reviewed for health.

\_\_NJ State Fireman’s Association Membership Application, Hailey Ader & Andrew Ader

\_\_ Letter to J. Kostick from Califon Borough 7-1-21

**OLD BUSINESS**

1. **RESOLUTION- ADOPTION OF ORDINANCE 2021-08**

**The mayor read Ordinance 2021-08 by title:** **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 Mayor opened the public hearing on Ordinance 2021-08.

Resident John Kostick of 59 River Rd asked why the choice was made to opt Out. Mayor Daniel advised that the legislation is somewhat unclear. Mayor Daniels advised that he has been advised from several attorneys including our Borough attorney that the legislation has a long way to go and the decision here was to see where it goes. We can always opt in later on if we want to.

The following Resolution was introduced for adoption:

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**RESOLUTION 2021-72**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordnance 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** is hereby adopted upon final reading; and **BE IT FURTHER RESOLVED** that Notice of Final Passage of Ordinance 2021-08 is to be published in the July 28, 2021 edition of the Hunterdon Review as required by law.

Motion was made by J. Collins seconded by C. Smith to adopt Resolution 2021-72 as read.

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

Opposed: None

Absent: E. Haversang

**MOTION CARRIED**

1. **FORMATION OF CANNABIS COMMITTEE**

Mayor Daniel advised Council members that Councilman J. Collins will be forming and leading a small committee, which he would like to be comprised of 2 members of council, a member of the Planning Board and a business owner. Councilman Collins advised he would like to keep the committee at no larger than 5 members. Councilman Collins stated that there is a lot to think about, Zoning, public opinion, changing legislation. Councilman Collins expects that the committee will be able to give the Council and the residents information to better make future decisions.

**NEW BUSINESS**

1. **RESOLUTION- APPROVAL TO CONTRACT WITH INTERSTATE WASTE SERVICES (IWS)**

The following Resolution was introduced for adoption:

**RESOLUITON 2021-73**

**APPROVAL TO CONTRACT WITH INTERSTATE WASTE SERVICES (IWS)**

 **BE IT RESOLVED** that the Mayor and Council of the Borough of Califon has approved the contract with Interstate Waste Services, for the removal of residential household bulk items on Monday, September 10, 2021; and

 **BE IT FURTHER RESOLVED** that the cost for this service will be $1,500 per load plus $85.00 per ton disposal.

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Motion was made by R. Baggstrom seconded by L. Janas to adopt Resolution 2021-73 as read.

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

Opposed: None

Absent: E. Haversang

**MOTION CARRIED**

1. **APPROVAL TO ACCEPT THE ASSESSMENT REPORT FROM TAMKE TREE EXPERTS DATED JUNE 30, 2021**

Keith Decker of Tamke Tree Experts conducted an inventory and assessment of White Ash trees at Califon Island Park. Mr. Decker advised that there are currently 21 Ash trees that are in such decline that removal would be recommended. Mr. Decker did not mark these trees however his assessment includes a description of their locations. Councilman Medea suggested that a walkthrough be conducted at the park to prioritize and tag the trees that they feel need to be removed first. With over 30 trees taken down at the park last year, the area’s most vulnerable, playground, baseball field, parking lot, have been removed so we can stagger the removal of the rest of the noted trees.

Mr. Decker was also asked to look at 2 trees between the road and the sidewalk at 10 Pershing Ave. Mr. Decker’s report states that both of these trees are exhibiting decay and recommends removal.

The tree at 92 Main St and Second Street was also recommended for removal.

Council members agreed that our first priority is to take care of the trees on Pershing and Main Street.. Mayor Daniel suggested we start with obtaining estimates for removal of the two trees on Pershing and one on Main and Second street. Deputy Clerk, K. Mastro advised that the tree on Main and Second borders her property and she would like to take care of that herself with heavy pruning to try and keep the shade for as long as possible. Deputy Clerk advised she would obtain estimates for the removal of the two trees on Pershing.

1. **RESOLUTIONS – APPROVAL OF APPLICATIONS FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMAN’S ASSOCIATION FOR HAILEY ADER AND ANDREW ADER**

The following Resolution was introduced for adoption:

 **RESOLUTION 2021-74**

**AUTHORIZING THE APPROVAL OF THE APPLICATIONS FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMAN’S ASSOCIATION FOR HAILEY ADER AND ANDREW ADER**

 **WHEREAS,** the members of the Califon Council and Mayor have received and reviewed the applications to become members of the New Jersey Fireman’s Association by Hailey Ader and Andrew Ader,

 **WHEREAS,** it is agreed by all members that we are fortunate to have young members of our volunteer fire company become active in this worthy association,

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**NOW THEREFORE BE IT RESOLVED** by the Borough of Califon, County of Hunterdon, State of New Jersey that the Mayor and Council support the application of both Hailey Ader and Andrew Ader into the NJ State Fireman’s Association.

Motion was made by M. Medea seconded by L. Janas to adopt Resolution 2021-74 as read.

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

Opposed: None

Absent: E. Haversang

**MOTION CARRIED**

**COMMITTEE REPORTS**

Councilman Medea reported that the Parks and Recreation Committee met last week and the entire meeting was dedicated to the planning of the upcoming Street Fair on October 10th. Jason Beard is spearheading this event and they have quite a few active volunteers. They are planning on having two bands at this event and a DJ instead of open mic. Councilman Medea believes that the Slusher 5K will also take place that day as well. There will also be a kid zone with the addition of pony rides!

Councilman Medea also advised that it is the Califon Fire Company’s 100th anniversary this year. He spoke with Chief Bergman and was advised that the Fire Company is planning on having a celebration parade on Saturday October 23rd. They will also have an open house after the parade with food and beverages. The fire company is hoping to have volunteers from either Council or other Borough committees, provide the cooking and serving of food and beverages so they can enjoy participating in this event. The Fire Company is also looking to see if the town would consider paying for the cost of the food and police coverage that will be needed. Councilman Medea suggested that this may be an agenda item at our next meeting to approve a donation amount to cover for these expenses.

Councilman Medea also mentioned that he would like to ask Bruce Morrow to attend the next meeting so he can give the Council members a run down on the upcoming Vietnam Traveling Memorial Wall scheduled to arrive in Califon on October 15th and leave on October 17th.

Councilman Janas reported that he was not at the last Planning Board meeting. The next meeting is Wednesday, July 21st.

Councilwoman Smith reported that the Board of Education meeting is this Wednesday and she will have a report for out next meeting.

Councilman Baggstrom reported that the calls to the Police department were down in June.

Councilman Baggstrom reported that the court report showed another month of low number of cases.

Councilman Baggstrom complimented the paving job on River Road which was just finished. He asked if we were going to get this road striped and Mayor Daniel advised yes, next week. Councilman Baggstrom reported that the storm drain across from 3 Raritan Drive is in need of repair, he has photos. Councilman Baggstrom also reported that there is no more blacktop along the curbing in sections of Kelly Court.

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Also reported that there are potholes where Second Street meets Hoffman Drive that could use some filling. He will send photos.

Councilman Collins advised he had nothing to report.

**MAYORS REPORT**

Mayor Daniel reported that he was called last week by L. Eidsvaag, Municipal Clerk to advise that the large flag on the bridge was vandalized with a black sharpie pen. The offender wrote

Nonsense and used profanity requiring the removal of the flag. The police were notified but the perpetrator was not identified or found. Mayor Daniel was upset at this complete disregard for our country’s flag and the Borough’s property.

Mayor Daniel reported that on Thursday, July 8ththere was a significant rain storm. Mayor Daniel reported that he heard two fire calls, one at 6pm and another at 6;30. He feared that they might have been responding to flooding but when he went to the fire house around 9 pm he was advised by the fire chief that the calls were not flood related. Mayor Daniel reported that the new grate that was just installed behind 31 Main St. did its job!

Mayor Daniel reported that we have 2 quotes, one from Matarazzo and one from Toby Barkman for some additional changes to the storm water design. Mayor Daniels feels that we should incorporate both designs.

 Councilman Medea suggested that we send both of these designs/estimates to our engineer and see if he can combine these plans.

Mayor Daniel advised that for the Hardware Store flooding, we need to get someone certified to

be able to resolve this issue.

**PUBLIC COMMENTS**

Resident J. Kosick of 59 River Rd, stated that they did a good job on paving River Rd but that they did it on the hottest day and some of the trucks did some damage in front of the Nellie Hoffman House and also in the driveway entrance to the church and various driveways. J. Kostick advised that you can see where the trucks tires had entered the entrance of driveways.

J. Kostick suggested that our engineer take a look at these areas and maybe we can get the company to come back and do some repair work.

With no further comments or business to come before the Council at this time, motion was made by C. Smith seconded by R. Baggstrom and unanimously accepted to adjourn at 9:10 pm.

Respectfully submitted:

Karen Mastro, RMC

Deputy Clerk