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**BOROUGH OF CALIFON COUNCIL**

**REGULAR MEETING**

**SEPTEMBER 13, 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: J. COLLINS, E. HAVERSANG**

 **ALSO PRESENT: BOROUGH ATTORNEY, MARK ANDERSON-via Zoom**

**CHIEF J. ALMER**

Due to attendance of residents, the Mayor moved Public Comments to the first item on the agenda. Mayor Daniels asked Chief Almer to share status of police activity in Califon. Chief Almer advised that we had a quiet summer with no major crime activities.

Bruce Morrow, Chairman of the Califon Veteran’s memorial shared a brief update on the upcoming Vietnam War Memorial Wall ceremony taking place on October 15th at 10:00 am.

Final planning meeting will be Tuesday September 28th at 7:00 pm.

**COMMENTS FROM THE PUBLIC**

Weslee Lynch of 78 Main St advised she was in attendance along with her husband and other residents that live along the river to find out what is going on with the Coles Mill Dam. Mrs. Lynch read a Statement from Concerned Property Owners and gave each member of council and the mayor a copy. Mr. Lynch advised that he knows that there are plans to take out this dam and he would like the town to become involved. He advised the Council that the residents entrust the Council members to protect their interest. They would like to work with the town to make sure that the dam is not taken down and what is left is a mud hole.

Mayor Daniel advised that this dam is privately owned by the resident at 23 First Street. The town does not own the dam. Mayor Daniel explained that the town was made aware of a change in ownership but does not know who the new owner is or what his/her intention is. Mayor Daniel advised that the removal of a dam is a long process that requires many stages and involves the DEP and EPA who require strict adherence to permitting and best practices.

Mayor Daniel recommended any interested resident to attend a webinar being offered for free tomorrow, on just this subject. Deputy Clerk K. Mastro will forward Weslee Lynch the link to this webinar after the meeting.

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Brian O’Sullivan of 1 First St stated that he moved to his house on the river two years ago because of the river and it was his definition of an all-American town. Mr. O’Sullivan advised that when he found out about the dam removal it was very disconcerting.

Maryanne Verme of 15 First St advised that she spoke with the owner last week. The owner only advised that she had been in touch with the town.

Councilman R. Baggstrom advised that there was a breach in the dam in 2018 and the town was copied in on the violation issued to the owner by the DEP advising they have to fix the dam or

remove it. To this day nothing has been done and the breach is causing erosion on River Road. In addition to the breach there is a lot of debris that needs to be removed.

Mr. Lynch wanted to know why this had not been brought up in the Planning Board as he considers the dam to be a historic structure. Mr. Lynch wants to work with the town and be a part of whatever process there is to be.

George Casa of 14 Guinea Hollow Rd, and co-owner of Shannon’s Fly and Tackle. Mr. Casa advised that he is more concerned about the County bridge. He advised that he would be concerned that the County would advise that we do not need this type of bridge if the river width narrows. The bridge is the iconic, historic landmark of Califon. Mr. Casa advised that there is a way to make this work for all. He explained how there are rolling funds available through open space. Califon Borough could purchase the property through Green Acres funding and then deed over the dam to the DEP. This would be avoiding using taxpayer monies. Mr. Casa advised that the first step is to acquire the land without having to know what is going to happen. This program is only for acquisition of Open Space. Mr. Casa advised that he is more positive about this matter today than ever before.

Councilman Baggstrom spoke about the history of this dam and the previous owners wanting the town to buy it as it is very expensive to maintain. Funds were not available to the town at that time for this type of transaction. Councilman Baggstrom advised he would like to see the homeowner fix the wash out now before anything else is done.

Mr. Lynch advised for the record he knows that multiple Council members have met to discuss the removal of this dam.

Mayor Daniel advised he was not aware of this, that he would have to speak with the two councilman who are not present. Mayor Daniel advised that we did explore taking ownership of the old Weis Mill Dam remnants up on Bank St last year but this has become inactive.

Lisa Tsaung of 11 First St asked the Council how much would it cost the taxpayers every year if the town fixed the dam and how much would it cost the taxpayers to maintain it?

Mr. Lynch advised that his biggest concern is that the DEP and the homeowner will make a decision and cut out the river front residents from their input.

Councilman Janas advised that if the property owner is actively talking about this then they should come before the Planning Board.

Mr. Casa suggested that the Mayor and Council appoint an advisory group which would guarantee that everyone that has an interest in this matter is represented.

Councilman Medea advised that if a group is to form it should be a holistic approach. Everyone should have a say.

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Mayor Daniel asked Mr. Casa what would be the absolute earliest that this dam would be removed if the owner decided to take it down? Mr. Casa advised at least two years.

Mayor Daniel advised he would like to speak with the homeowner.

**APPROVAL OF MINUTES**

The minutes of August 16, 2021 were tabled until the October 4, 2021 meeting.

**LIST OF BILLS**

Motion was made by C. Smith seconded by R. Baggstrom to approve the list of bills in the amount of $596,307.91.

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

Opposed: None

Absent: J. Collins, E. Haversang

**MOTION CARRIED**

**TAX COLLECTORS REPORT**

The Tax Collector’s report was reviewed and filed.

**CORRSPONDENCE**

Deputy Clerk K. Mastro advised that we received an email confirming that the guard rails on River Rd will be installed from September 20 to September 22nd. Traffic control is in place.

\_Email to Councilman Medea and Mayor Daniel, 9-12-21, from resident of 1 First St, voicing her concern over what she heard were plans to remove the Coles Mill Dam.

\_email to Municipal Clerk, L. Eidsvaag from Carol Bianchi of JCPL advising their tree arborist checked out the tree on School St and that the tree is not within their right of way. It is the homeowner’s responsibility to remove any dead limbs.

--email from the Borough’s risk management insurance regarding harassment / discrimination training session that the Mayor, Council and employees need to attend. Either October 4th or the 18th before the meeting.

-letter read from an anonymous resident that was dropped off in the drop box. Author of this letter advised he/she is concerned about the amount of times Lebanon Township ambulance comes into Califon responding to calls. He/she wanted to know if the Califon First Aid Squad is still a viable organization.

- email from the United Way of Hunterdon advising that they are available to assist with any resident that may have been affected by storm IDA.

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Councilman Baggstrom advised that he belongs to an organization, The Friendly Sons of St. Patrick that is Hunterdon County based as well and is also available to assist any family that is in need of clothing or items lost during a disaster.

**OLD BUSINESS**

1. **RESOLUTION- PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE 2021-09**

The Clerk read Ordinance 2021-09 by title: **AN ORDINANCE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, APPROPIATING THE SUM OF $15,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH OF CALIFON FOR AN UPGRADE TO THE MUNICIPAL FIRE ALARM SYSTEM; COMPUTER UPGRADES AND UPDATE TO CODIFICATION OF ORDINANCES.**

Mayor Daniel opened the public hearing on Ordinance 2021-09. There being no comments from the public, the public hearing was closed.

The following Resolution was introduced for adoption:

**RESOLUTION 2021-77**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2021-09 entitled: **AN ORDINANCE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, APPROPIATING THE SUM OF $15,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH OF CALIFON FOR AN UPGRADE TO THE MUNICIPAL FIRE ALARM SYSTEM, COMPUTER UPGRADES AND UPDATE TO THE CODIFICATION OF ORDINANCES** is hereby adopted upon final reading; and

**BE IT FURTHER RESOLVED** that Notice of Final Passage of Ordinance 2021-09 will be published in the September 22, 2021 edition of the Hunterdon Review as required by law.

Motion was made by L. Janas seconded by R. Baggstrom to adopt Resolution 2021-77.

For: R. Baggstom, L. Janas, M. Medea, C. Smith

Opposed: None

Absent: J. Collins, E. Haversang

**MOTION CARRIED**

1. **RESOLUTION – 2021-78- AMENDED EMERGENCY APPROPIATION**

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The following Resolution was introduced for adoption:

**Resolution 2021-78**

**Emergency Resolution per NJSA40A: 4-48**

 **WHEREAS,** an emergency has arisen with respect to an unexpected legal matter for the Borough of Califon and no adequate provision was made in the 2021 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

 **WHERAS,** this resolution replaces the original Emergency Resolution 2021-78 which was introduced on August 16, 2021,

 **WHEREAS,** the total amount of the emergency appropriations has changed from $44,298.00 to $30,100.00, representing 3% of the total operating appropriations in the budget for 2021,

 **WHEREAS,** the foregoing appropriation of $30, 100.00 does not exceed three percent of the total operating appropriations (including utility operation appropriations) in the budget for 2021.

 **NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Califon in the County of Hunterdon, State of New Jersey (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Legal Expense- Other Expense in the amount of $30,100.00
2. That said emergency appropriation shall be provided for in full in the 2022 budget, and is requested to be excluded from CAPS, pursuant to N.JSA. 40A:4053c (1).

Motion was made by R. Baggstrom seconded by L. Janas to adopt Resolution 2021-78 as read.

For: R. Baggstom, L. Janas, M. Medea, C. Smith

Opposed: None

Absent: J. Collins, E. Haversang

**MOTION CARRIED**

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**OLD BUSINESS**

1. **RESOLUTION - APPROVAL OF PROPOSAL OF CHARLES MATARAZZO, CEDAR RIDGE-STORMWATER MITIGATION MEASURES**

Mayor Daniel gave a short description of the two proposals we have received for the mitigation of stormwater.

The following Resolution was introduced for adoption:

**RESOLUTION 2021-79**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Califon has approved the proposal of Charles Matarazzo, Cedar Ridge, in the amount of $11,500, for stormwater mitigation measures as outlined in the proposal.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2021-79 as read.

For: R. Baggstom, L. Janas, M. Medea, C. Smith

Opposed: None

Absent: J. Collins, E. Haversang

**MOTION CARRIED**

1. **CALIFON FIRE COMPANY 100TH ANNIVERSARY PARADE**

Councilman Medea advised that Chief Bergman stated that the Fire Company is having a parade on October 23rd to celebrate their 100-year-old birthday. Chief Bergman asked Councilman Medea if the Borough could help out with the cost of food in the amount of $1,500. They were also interested in seeing if the Borough could pay for any police coverage needed, but was not sure how many police would be needed or for how long. Discussion concerning where these funds could come from took place. Councilman Medea advised he would find out more specifics and suggested we table this until the October 4th meeting where it will be an agenda item.

**COMMITTEE REPORTS**

Councilman Medea reported that the Parks and Recreation committee is in full swing planning the Street Fair of October 10th.

Councilman Janas advised that there was a Planning Board meeting on August eighteenth where there was an application hearing that will be continued at the next meeting of September 15th.

Councilwoman Smith advised that there is a Board of Education Meeting this Wednesday, September 15th.

Councilman Baggstrom advised he had nothing to report.

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**MAYOR’S REPORT**

Mayor Daniel advised that he was very thankful that our town did not experience the catastrophic flooding that occurred in so many neighboring towns. We had about 8” of rain in a three-hour period, and considering this volume we were lucky it was not worse.

There being no further business to come before Council at this time, motion was made by C. Smith seconded by L. Janas and all present in favor to adjourn at 9:25 p.m.

Respectfully submitted,

Karen Mastro, RMC

Deputy Clerk