**BOROUGH OF CALIFON COUNCIL**

**REORGANIZATION AND REGULAR MEETING**

**JANUARY 4, 2021**

**SWEARING-IN CEREMONY**

With the reading of the Oath of Office, Councilman Richard Baggstrom and Councilman Ed Haversang were both sworn in by the Municipal Clerk, Laura Eidsvaag, each for a three (3) year term to commence January 1, 2021 and to expire on December 31, 2023.

**2021 REORGANIZATION MEETING – CALL TO ORDER**

Mayor Charles Daniel called the 2021 Reorganization 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 2021 Reorganization Meeting of the Califon Borough Council, conducted via a Zoom online platform has been provided in accordance with the Open Public Meetings Act by publication of the Reorganization Notice published 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**

**ADOPTION OF 2021 MAYORAL APPOINTMENTS AND ORGANIZATIONAL RESOLUTIONS 2021-01 THROUGH 2021-18**

The following Resolutions were introduced for adoption:

**RESOLUTION-2021-01**

**ELECTION OF BOROUGH COUNCIL PRESIDENT**

**BE IT RESOLVED** by the Borough of Califon Council that Councilman Michael Medea is hereby elected as President of the Borough Council of the Borough of Califon for the year 2021.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-01 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-02**

**2021-02**

**RESOLUTION CONFIRMING APPOINTMENTS**

BE IT RESOLVED by the Borough Council of the Borough of Califon,

Hunterdon County, New Jersey, that the foregoing appointments are hereby confirmed,

ratified and approved, provided that all professional appointments are subject to and

contingent upon receipt of notarized Business Entity Disclosure Certifications and

approval and signing of contracts for professional services for the year 2021.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-02 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-03**

**ANNUAL RESOLUTON OF BOROUGH COUNCIL**

**RE: OPEN PUBLIC MEETINGS ACT**

WHEREAS, the Open Public Meetings Act N.J.S. 10:4-6 et seq.) hereafter the “Act” provides for the giving of an annual notice by public bodies of a schedule of the succeeding year, including the location of each meeting to the extent it is known, and the time and date of each meeting; and

 WHEREAS, the Act authorizes a public body to make certain other determinations and to take certain other actions in conformance therewith;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Califon, County of Hunterdon, State of New Jersey, as follows:

1. Regular meetings of the Borough Council shall be held during the **2021** calendar year at **7:30 p.m.** prevailing time, on the first and third Monday of each month at Borough Hall, 39 Academy St., Califon, New Jersey, unless rescheduled in conformity with the said Act, provided that any such meetings which fall on a New Jersey legal holiday shall be rescheduled to the next regular business day at the same time and place.
2. The following newspapers are hereby designated as the newspapers to receive any and all notices required or permitted to be given under the Act including but not limited to the Annual Notice of regular meetings or any revision thereto, 48-hour notice of any special meeting and notice of any emergency meeting for which prior adequate notice was not provided:
	1. The **Hunterdon Review** which is the official newspaper of this public body; and
	2. The **Hunterdon County Democrat** which is hereby determined to be the other newspaper which has the greatest likelihood of informing the public within this Municipality of meetings of this public body
3. The following newspaper is hereby designated as an alternate newspaper to receive any of the notices described in Paragraph 2 above in the event that either of the newspapers designated in Paragraph 2 shall be unavailable to receive or publish such notices within the time requirements of the Act due to weekly publishing schedules:
	1. The **Courier News** which is hereby determined to be the alternate newspaper which has the greatest likelihood of informing the public of this Municipality of meetings of this public body and may be utilized when necessary to receive such notices in order to conform to the maximum extent possible with the time and notice requirements of the Act.
4. The following fees are hereby fixed to cover the costs of providing and mailing to any such persons requesting copies of any notice pursuant to Section 14 of the Act, which fees shall be prepaid by such person:
	1. To receive by mail any one copy of any annual notice of regular meetings or revision thereto described in Section 13 of the Act, or any one 48 hour advance written notice described in Subsection 3-d of the Act of any regular, special or rescheduled or emergency meeting of this body, **the sum of $.05 per page for letter sized pages and $0.07 per page for legal sized pages.**
	2. To receive written advance notice of all of the meetings of the public body within the time prescribed by Subsection 3-d of the Act up to and including December 31, 2020, **the sum of $0.05 per page for letter sized pages or $0.07 per page for legal sized pages.**
5. This public body shall keep reasonably comprehensible minutes of all of its meetings showing the time and place, the members present, the subject considered, the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, which shall be promptly available to the public to the extent that making such matters public shall not be inconsistent with Section 7 of the Open Public Records Act (PL 2001, C404).
	1. The fee to receive by mail or in person any one copy of any official minutes of any regular or special open meeting or any revision thereto shall be **the sum of $.05 per page for letter sized pages and 0.07 per page for legal sized pages.**
	2. The fee to receive by mail or in person one copy of all of the official minutes of all the regular and special open meetings of this public body shall be **the sum of $0.05 per page or $0.07per legal sized page.**
6. Copies of the attached Annual Notice shall be provided as follows:
	1. Posted and maintained throughout the calendar year on the public bulletin board at the Municipal Building.
	2. Mailed, electronically sent, or hand delivered to the newspapers designated in Paragraph 2 hereto.
	3. Filed with the Clerk of the Municipality.
	4. Mailed or hand delivered to any person so requested in accordance with Paragraph 4 hereto.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-04 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-04**

**ANNUAL NOTICE OF REGULAR MEETINGS**

 PLEASE TAKE NOTICE that regular meetings of the Borough of Califon

Council shall be held during the 2021 calendar year at 7:30 p.m., prevailing time, on the

first and third Mondays of each month at Borough Hall, 39 Academy St., Califon, New

Jersey, unless rescheduled in conformity with the Open Public Meetings Act.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-04 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**2021-05**

**RESOLUTION FIXING INTEREST RATES ON DELINQUENT TAXES**

**FOR CALENDAR YEAR 2021**

 BE IT RESOLVED that pursuant to R.S. 54:4-67, the Borough Council of the Borough of Califon, County of Hunterdon and State of New Jersey hereby fixes the rate of interest to be charged on delinquent taxes for calendar year 2020 at the rate of eight percent (8%) per annum on the first $1,500.00 of delinquency and Eighteen percent (18%) per annum on any amount in excess of $1,500.00 of delinquency.

 BE IT FURTHER RESOLVED, that notwithstanding the above provision, no interest shall be charged if payment of any installment is made within ten (10) days after the date upon which the same became payable according to the laws in such cases made and provided. If such payment is not made within the ten (10) day grace period, the above rate of interest shall run and accrue from the original due date of such taxes.

 BE IT FURTHER RESOLVED, that any taxpayer with a delinquency in excess of $10,000.00 who fails to pay that delinquency prior to the end of the calendar year shall be so charged an additional rate of interest of six per cent (6%) against the delinquency.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-05 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-06**

**SERVICE CHARGE FOR CHECKS RETURNED FOR INSUFFICIENT FUNDS**

 WHEREAS, N.J.S. 40:5-18 (a) provides that the governing body of a municipality may provide, by Resolution or Ordnance, for the imposition of a service charge to be added to any account owing to the municipality, if payment tendered on the account was by a check or other written instrument which was returned for insufficient funds; and

 WHEREAS, N.J.S. 40:5-18 (b) provides that whenever an account owing to a municipality is for a tax or special assessment, the service charge authorized by this section shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien;

 NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Califon, that the service charge for a check or other written instrument returned for insufficient funds is hereby determined and set at **$20.00** per check or other written instrument, pursuant to N.J.S. 40:5-18 (c); and

 BE IT FURTHER RESOLVED that any service charge authorized by this section shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered. In addition, the governing body may require future payments to be tendered in cash or by certified or cashier’s check (N.J.S. 40:5-18 (d)).

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-06 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-07**

**CANCELLATION OF PROPERTY TAX REFUNDS OR**

**DELINQUENCIES OF LESS THAN $10.00**

 WHEREAS, the State of New Jersey allows a Municipal employee to process the cancellation of any property tax refund or delinquencies of less than $10.00; and

 WHEREAS, the Municipal employee allowed to process the cancellation shall be the Tax Collector;

 NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Califon hereby authorizes the Tax Collector of the Borough of Califon to process the cancellation of any property tax refund or delinquency of less than $10.00.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-07 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-08**

**RESOLUTION AUTHORIZING FILING OF STIPULATIONS AND**

**CORRECTIVE APPEALS BY THE MUNICIPAL ATTORNEY**

 WHEREAS, the Borough Council of the Borough of Califon has been informed that from time-to-time errors are made in computing the tax assessments; and

 WHEREAS, the Municipal Attorney of the Borough of Califon has requested that the Borough Council authorize him to file corrections of such errors with the Hunterdon County Board of Taxation; and

 WHEREAS, the Municipal Attorney of the Borough of Califon is called upon to defend tax appeals filed with the Hunterdon County Board of Taxation and to agree to stipulations of appeals;

 NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Califon that the Municipal Attorney of the Borough of Califon be and is hereby authorized to file corrective appeals with the Hunterdon County Board of Taxation, to represent the Borough of Califon before the Hunterdon County Board of Taxation in defense of appeals filed with said Board and to sign stipulations of appeals on behalf of the Borough of Califon, which he feels are proper and in the best interests of the Municipality.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-08 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-09**

**ADDED AND OMITTED ASSESSMENTS**

WHEREAS, the Borough Council of the Borough of Califon, County of Hunterdon, State of New Jersey recognizes that N.J.S.A. 54:5-63.12 et seq., popularly known as the “Originally Method”, allows the Collector of Taxes, upon written complaint to the County Tax Board to notify such Board of any property alleged to have been omitted and the particular year of the assessment to be assessed; and

 WHEREAS, the Tax Assessor of the Borough of Califon, County of Hunterdon, State of New Jersey, has requested the Borough Council to authorize her to notify the County Tax Board, upon written complaint of any property alleged to have been omitted and the particular year of the assessment to be assessed pursuant to and in compliance with N.J.S.A. 54:5-63.12; and

 WHEREAS, the Tax Assessor of the Borough of Califon, County of Hunterdon, State of New Jersey, is called upon with the knowledge of omitted and rollback taxes prior to the Tax Collector;

 NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Califon, County of Hunterdon, State of New Jersey, that the Tax Assessor of the Borough of Califon be and is hereby authorized to notify upon written complaint to the Hunterdon County Board of Taxation of any property alleged to have been omitted and the particular year of the assessment to be assessed.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-09 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-10**

**RESOLUTION DESIGNATING OFFICIAL NEWSPAPER**

BE IT RESOLVED that the Hunterdon Review, a newspaper published and

printed in the County of Hunterdon and circulating in the County of Hunterdon, is hereby

designated as the official newspaper of the Borough of Califon pursuant to N.J.S. 40:53-1

for publication of all official notices required by law during the calendar year 2021.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-10 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-11**

**RESOLUTION FIXING PHOTOCOPY CHARGES**

BE IT RESOLVED that the fee for photocopies of letter sized or legal sized documents and papers from the Borough of Califon pursuant to the Open Public Records Act (OPRA) shall be five cents ($0.05) per page for letter sized pages and smaller, and seven cents ($0.07) per page for legal sized pages and larger. The fee for oversized documents or documents which require outside copying or special handling shall be the actual cost of such copying plus any applicable postage.

 BE IT FURTHER RESOLVED that the fee for certification of any document shall be twenty-five cents ($.25) per certification, except for certified copies of records of the Registrar of Vital Statistics, or as otherwise provided by law.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-11 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-12**

 **RESOLUTION DESIGNATING CERTIFIED SOCIAL SECURITY AGENT**

WHEREAS, it is required by the Statutes of New Jersey that an agent be appointed and certified for receiving monies and preparing the necessary forms for Social Security and pensions for employees for the Borough of Califon;

 NOW, THEREFORE, BE IT RESOLVED, that Amy Monahan be appointed as certified agent to prepare all necessary forms for Social Security and pension payments, and be authorized to receive payments on behalf of the Borough of Califon for both the State of New Jersey and the Federal Government during the calendar year of 2021.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-12 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-13**

**CASH MANAGEMENT PLAN**

BE IT RESOLVED by the governing body of the Borough of Califon, County of Hunterdon that for the year of 2021 the following shall serve as the cash management plan of the Borough of Califon.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of Califon funds.

The following are suitable and authorized investments:

* Interest bearing bank accounts and certificates of deposit in authorized banks,

listed below, for deposit of local unit funds.

* Government money market mutual funds as comply with N.J.S.A.

40A:5-15.1(e).

* Local government investment pools which comply with N.J.S.A.

40A:5-15.1(e) and conditions set by the Division of Local Government

Services.

* New Jersey State Cash Management Fund.
* Repurchase agreements (repos) of fully collateralized securities which

comply with N.J.S.A. 40A:5015(a).

Each month, the Chief Financial Officer shall prepare a schedule of investments purchased and redeemed, investment earnings, fees incurred and market value of all investments.

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds:

 Peapack Gladstone Bank

 PNC Bank

 Current Account

 Payroll Account/Payroll Agency Account

 Dog Checking Account

 Public Assistance 1/Public Assistance 2

 COAH

 Capital Account

 Escrow Account

 Tax Collector Account

 Certificate of Deposit

 Small Cities Grant

 State of New Jersey

 Cash Management Fund

 Federal Reserve Bank

 Treasury Direct Account

The CFO shall report to the governing body any account that does not earn interest.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-13 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**2021-14**

**RESOLUTION ESTABLISHING A CIVIL RIGHTS POLICY**

**AND A POLICY AGAINST DISCRIMINATION WITH RESPECT TO HIRING**

**AND EMPLOYMENT OF BOROUGH OF CALIFON EMPLOYEES**

WHEREAS, the Borough of Califon finds and declares that the practices of discrimination against the inhabitants of this municipality and of the State of New Jersey

because of race, creed color, national origin, ancestry, age, sex, or marital status are a matter of concern to the government of this municipality, and that such discrimination

threatens not only rights and proper privileges of this municipality and of the State of New Jersey, but menaces the institutions and foundations of a free democratic state; and

WHEREAS, all persons should have the opportunity to obtain employment without regard to race, creed, color, national origin, ancestry, age, sex or marital status, subject only to conditions and limitations applicable to all persons;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Committee of the Borough of Califon that:

1. Borough of Califon is an equal opportunity employer.

2. Borough of Califon shall not discriminate against any employee or applicant

 employment because of race, creed, color, national origin, ancestry, age, sex

 or marital status.

1. All employees of Borough of Califon shall be treated equally during employ-

ment without regard to their race, creed, color, national origin, ancestry, age,

sex or marital status. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of

compensation and selection for training, including apprenticeship.

1. Borough of Califon, where applicable will, in all solicitations or advertise-

ments for employees placed by or on behalf of said Borough, state that all qualified applicants will receive consideration for employment without regard

to race, creed, color, national origin, ancestry, age, sex or marital status.

1. All of the provisions of this Resolution shall be construed to prohibit any unlawful discrimination against any person because of the physical handicap of such person or any unlawful employment practice against such person unless the nature and extent of the handicap reasonably precludes the performance of the particular employment.
2. The Borough Clerk is herein designated as the official designated to oversee

and ensure compliance with the Civil Rights policy as herein established.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-14 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-15**

**A RESOLUTION ESTABLISHING A**

**DRUG FREE WORKPLACE POLICY**

The following policy is adopted in order to provide a drug-free workplace environment within the Borough of Califon:

1. The unlawful manufacture, distribution, dispensing, possession or use of a

controlled substance is prohibited on Borough grounds. Any violation of this policy will subject the employee to appropriate personnel action, up to and including termination.

2. The Borough Clerk shall establish a drug-awareness program, including dis-

 tribution to each employee of this policy.

3. The employee shall notify the Borough Clerk in writing of any criminal drug

 Statute conviction for violation occurring in the workplace no later than five

 calendar days after such conviction. The Borough Clerk shall in turn

 immediately send notification to the Borough Council.

4. The Borough Council shall take one of the following actions, within 30

 calendar days of receiving notice under Paragraph 3, with respect to any

 employee who is so convicted:

 Taking appropriate personnel action against such an employee,

 Up to and including termination; or

 Requiring such employee to participate satisfactorily in a drug

 abuse assistance or rehabilitation program approved for such

 purposes by a Federal, State, or local health, law enforcement,

 or another appropriate agency.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-15 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-16**

**A RESOLUTION ESTABLISHING A**

**PROCEDURE FOR THE REVIEW AND RELEASE OF**

**EXECUTIVE SESSION MINUTES**

 **WHEREAS**, it is appropriate for the Borough of Califon to establish a procedure for the review and release of minutes of the Borough Council which have not been open to the public in accordance with the Open Public Meeting Act.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Califon, Hunterdon County, New Jersey, assembled in public session the 4th day of January, 2021, that:
There shall be a minute’s review committee (MRC) consisting of the

Mayor, the Borough Clerk and Borough Attorney, whose job shall be

to periodically review the minutes of closed sessions of the Borough Council and make recommendations to the Borough Council as to which minutes should be made public. The MRC shall have no power and shall not be “public body” within the meaning of the Open Public Meeting Act.

1. The MRC shall meet on as-needed basis, but at least annually.

Meeting of the MRC shall be as scheduled at the convenience of the

MRC members by the Mayor.

 Prior to each meeting of the MRC, the Borough Clerk shall prepare a

list of all closed session minutes that have not been made public. The list and the minutes listed shall be made available to the MRC at their meetings.

4. Recommendations to make minutes public shall be on a case-by-case basis, taking into consideration both the interest in maintaining con-

 fidentiality set forth in N.J.S.A.

5. The decision to make public the minutes of any closed session shall be

 made only by the Borough Council, and shall be based on a finding

 that public disclosure of the matters discussed at such closed session

 will not be detrimental to the public interest. In making finding, the

 Public body shall take into consideration, but need not agree with, the recommendation of the MRC and the basis for the recommendation as

 Set forth in Paragraph 4 above. In cases where more than one matter

 was discussed in closed session, the public body may elect to make

 public only the minutes pertaining to certain of those matters, and to

 Keep the rest of the minutes confidential. Should the minutes contain any material entitled to protection, the public body shall excise the

 protected matter, provided that all materials required by law to be

 contained in the minutes shall be set forth.

 6. Minutes which are made public shall not thereafter be treated as confi-

 dential, but may be seen and copied by any person in the same

 manner as minutes of open meetings.

 7. Guidelines. The following general guidelines pertaining to the pur-

 poses for closed meetings set forth in N.J.S.A. 14:4-12 may be con-

 sidered in recommending and deciding when to make public minutes

 of closed sessions:

1. Matters required by law to be confidential. When the need to pre-

serve the secrecy of the confidential information discussed no

longer exists; provided, that material entitled to court protection

shall not be disclosed.

 Matters affecting the right to receive federal funds. When dis-

closure would no longer impair the right to receive funds or cause funds already received to be forfeited.

 c. Matters involving individual privacy. Such matters shall not be

 disclosed except as ordered by a court of competent jurisdiction,

 or with the written consent of all the individual(s) concerned.

 d. Matters relating to collective bargaining agreements. When the

 collective bargaining agreement has been made and ratified.

 e. Certain matters involving public funds. After the transaction

 involving the public funds has been made.

 f. Matters affecting public safety and property. When disclosure

 would no longer impair the safety and property of the public or

 the conduct of any investigation.

1. Litigation, contract negotiation and certain privileged matters.

As to litigation, when a final decision has been rendered and all

rights of appeal are exhausted; as to anticipated litigation, when

the statute of limitations has expired as to all such claims or a

binding settlement precluding litigation has been made; as to

contract negotiation when either the contract has been made and is binding on all parties or if not made, when negotiation is

terminated; as to matters falling within the attorney-client privilege, at such time, if ever, that disclosures would not

violate the attorney’s ethical duties.

 Employment matters.

When the employment decision has been made and all rights to litigate or appeal are exhausted; provided, that material entitled

to court protection shall not be disclosed.

 deliberations after hearing in penalty matters.

After the decision to impose or not impose the penalty has been

made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.

 **BE IT FURTHER RESOLVED** that copies of this Resolution shall be provided to the Mayor, the Borough Clerk and the Borough Attorney for their information and attention.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-16 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-17**

**RESOLUTION OF THE BOROUGH OF CALIFON, SETTING FORTH A POLICY REQUIRING THE TAX ASSESSOR TO NOTIFY THE CHIEF FINANCIAL OFFICER AND GOVERNING BODY OF ALL TAX APPEALS FILED BY JUNE 1ST OF EACH YEAR**

**WHEREAS,** active monitoring management of a municipality’s ratable base is fundamental in helping ensure fiscal stability; and

**WHEREAS,** it is important for the Borough of Califon governing body and the Chief Financial Officer to be kept apprised of all tax appeals filed against a municipality in a given year; and

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Assessor of the Borough of Califon, County of Hunterdon, State of New Jersey shall inform the Chief Financial Officer and the governing body of all tax appeals filed for that year before June 1st of each year.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-17 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-18**

**ANTI-HATE RESOLUTON**

**WHEREAS,** hate-based harassment and violent crimes and other hate-motivated incidents have historically marred our nation and have recently occurred more frequently across the United States; and

**WHEREAS,** the messages fueling violence across our country stem from anger, hatred and bigotry and stand in stark contrast to the values we hold dear here in the Borough of Califon; Hunterdon County; and

**WHEREAS,** the Borough of Califon supports and protects all of its residents regardless of their ETHNICITY, RACE, BELIEFS, RELIGION, GENDER, GENDER IDENTITY, ABILITY, or SEXUAL ORIENTATION, including our IMMIGRANT community, all of which we value; and

**WHEREAS,** we in the Borough of Califon believe in the words on which our Nation was built: “We hold these truths to be self-evident; that all men and women are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness”.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Califon; Hunterdon County, rejects the message of all hate groups, renounces their views, strongly condemns hate in its various forms and stands will all residents, regardless of their ETHNICITY, RACE, BELIEFS, RELIGION, GENDER, GENDER IDENTITY, ABILITY, SEXUAL ORIENTATION OR IMMIGRATION STATUS; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Califon affirm that behaviors that spew hate and incite have no place in the Borough of Califon or in Hunterdon County or in the United States of America; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Califon commits to ensuring that Hunterdon County remains a place of goodwill and inclusion where hate, abuse of power and symbols of bigotry will never be tolerated nor welcome.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-18 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**FIRST REGULAR MEETING OF 2021**

Mayor Daniel called the first meeting of 2021 to order at 7:50 pm 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 legal notice in the Hunterdon Review and the Hunterdon County Democrat.”***

**APPROVAL OF MINUTES**

Motion was made by M. Medea seconded by C. Smith to approve the minutes from the meeting held on 12/21/20 with the following correction:

 Page 174; paragraph 2 – should read as follows: “Councilwoman Smith reported that the school experienced a Code orange level and the school closed due to an un-named emergency with the hope of re-opening after winter break”.

Motion was made by M. Medea seconded by C. Smith to approve the minutes from the meeting held on 12/21/20.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**TAX COLLECTOR’S REPORT**

The Tax Collector’s report was reviewed and filed.

**CORRESPONDENCE**

**\_\_** letter from Califon Fire Co.; recommending an evaluation of flooding problems associated with stormwater project and proposed remediation

\_\_ e-mail from Councilman Medea to Mayor and Council re: purchase of netting and goal equipment for lacrosse practice at Island Park. Council concurred.

\_\_ e-mail from DPW; cleaned grates of debris and repaired lawn damage at 19 Raritan Drive due to snow plow

\_\_ e-mail from Bob Grant, spokesperson for Main St. group thanking the Mayor and Councilman Haversang for their efforts on Christmas Eve and Christmas day to keep flooding at bay during heavy rainstorm

\_\_ e-mail from Lisa Hibbs, Commercial Utility Consultants; regarding Califon information kit for the HAEC GEA program beginning in March, kits to be mailed to residents of Califon beginning January 2nd.

**OLD BUSINESS**

1. **RESOLUTIONS – APPROVAL OF LOSAP LISTS FOR FIRE CO. AND FIRST AID SQUAD**

The following Resolutions were introduced for adoption:

**RESOLUTION 2021-19**

**APPROVAL OF LOSAP LISTS FOR 2019-20**

 **WHEREAS,** the LOSAP program requires that a certified list of eligible volunteers from an emergency service organization be submitted for review by the sponsoring agency; and

 **WHEREAS,** said required list of members eligible to receive LOSAP benefits for 2019-20 was received from the Califon Fire Company; and

 **WHEREAS,** the sponsoring agency has 30 days to review the submitted list and request any records deemed necessary to ensure that the list is accurate; and

 **WHEREAS,** the sponsoring agency has accepted the list as submitted

 **NOW, THEREFORE, BE IT RESOLVED** by the Borough of Califon Council that the list, submitted by the Califon Fire Company, is hereby approved; and

 **BE IT FURTHER RESOLVED** that a copy of the eligible member list, together with a copy of this Resolution, be returned to the Califon Fire Company for the 30-day required posting.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2021-20 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-20**

**APPROVAL OF LOSAP LISTS FOR 2019-20**

 **WHEREAS,** the LOSAP program requires that a certified list of eligible volunteers from an emergency service organization be submitted for review by the sponsoring agency; and

 **WHEREAS,** said required list of members eligible to receive LOSAP benefits for 2019-20 was received from the Califon First Aid Squad, and

 **WHEREAS,** the sponsoring agency has 30 days to review the submitted list and request any records deemed necessary to ensure that the list is accurate; and

 **WHEREAS,** the sponsoring agency has accepted the list as submitted

 **NOW, THEREFORE, BE IT RESOLVED** by the Borough of Califon Council that the list, submitted by the Califon First Aid Squad, is hereby approved; and

 **BE IT FURTHER RESOLVED** that a copy of the eligible member list, together with a copy of this Resolution, be returned to the Califon First Aid Squad for the 30-day required posting.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2021-20 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – INTRODUCTION OF ORDINANCE 2021-01 – INDEX/COLA**

The Clerk read Ordinance 2021-21 by title: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-21**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Califon that Ordinance 2021-01 entitled: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)** is hereby introduced upon first reading; and

**BE IT FURTHER RESOLVED** that Ordinance 2021-01 is hereby scheduled for a public hearing and final adoption on February 1, 2021; and

**BE IT FURTHER RESOLVED** that Notice of Ordinance 2021-01 will be published in the January 13, 2021 edition of the Hunterdon Review as required by law.

Motion was made by C. Smith seconded by M. Medea to adopt Resolution 2021-21 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – APPROVAL OF 2021 TEMPORARY BUDGET**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-22**

WHEREAS**,** 40A: 4-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2021 budget), temporary appropriations be made for the purposes and amounts required in the manner and time therein provided:

 WHEREAS**,** the date of this resolution is within the first thirty days of 2021, and

 WHEREAS**,** the total appropriations in the 2020 Budget, less appropriations made for the capital improvement fund, debt services and relief of the poor (public assistance) are as follows:

 General $ 297,775.16

 WHEREAS,26.25 percent of the total appropriations in the 2020 Budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in the said 2020 Budget is as follows:

 General $ 297,776.16

 WHEREAS, payments for the principal and interest are not included within the calculation for the temporary budget; and

 BE IT RESOLVED that the following temporary appropriation are hereby made for 2021:

 General $ 297,776.16

Motion was made by R. Baggstrom seconded by E. Haversang to adopt Resolution 2021-22 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTIONS – APPROVALOF 2021 PROFESSIONAL SERVICES CONTRACTS**

The following Resolutions were introduced for adoption:

**RESOLUTION-2021-23**

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

 **WHEREAS,** the Borough of Califon has a need to acquire LEGAL SERVICES FOR CALIFON as a non-fair and open contract pursuant to 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 will exceed $17,500; and

 **WHEREAS,** the anticipated term of this contract is one year; and

 **WHEREAS, MARK S. ANDERSON, ESQ. OF WOOLSON ANDERSON** has submitted a proposal, indicating that the fee for all LEGAL SERVICES rendered shall be $175.00 per hour; and

 **WHEREAS, MARK A. ANDERSON, ESQ., OF WOOLSON ANDERSON** has completed and submitted a Business Entity Disclosure Certification which certifies that MARK S. ANDERSON, 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 MARK ANDERSON, 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 engineering services 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 spending.

 **NOW, THERFORE, BE IT RESOLVED** by the Borough Council of the Borough of Califon, authorizes the Mayor and Clerk of the Borough of Califon to enter into a contract with MARK S. ANDERSON, ESQ., of Woolson Anderson as described herein as legal Counsel on behalf of the Borough of Califon for the year 2021; and

 **BE IT FURTHER RESOLVED** that a notice of this action shall be printed once in the Hunterdon Review; Califon Borough’s legally designated publication.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-23 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-24**

 **WHEREAS,** the Borough of Califon has a need to acquire a municipal Auditor as a non-fair and open contract pursuant to 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 will exceed $17,500; and

 **WHEREAS,** the anticipated term of this contract is one year; and

 **WHEREAS,** ARDITO & CO., LLP has submitted a proposal, indicating they will provide the auditor services for the anticipated fee of $22,454 (including Court); and

 **WHEREAS,** ARDITO & CO., LLP has completed and submitted a Business Entity Disclosure Certification which certified that ARDITO & CO., LLP 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 ARDITO & CO., LLP 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 auditing and non-auditing services 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 spending 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 of the Borough of Califon to enter into a contract with ARDITO & CO., LLP as described herein as auditors on and in behalf of the Borough of Califon for the year 2021; and

 **BE IT FURTHER RESOLVED** THAT THE Business Disclosure Entity Certification and 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 a legally designated publication.

 Political Contribution Disclosure. This contract has been awarded to Ardito & Co., LLP based on the merits and abilities of Ardito & Co., LLP to provide the goods and services as described herein. This contract was not awarded through a “fair and open” process pursuant to N.J.S.A.19:44a-20.4 et seq. As such, the undersigned does hereby attest that Ardito & Co., LLP its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16 in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004,c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality, if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the municipality when the contract is awarded.

Exhibit “A” (Mandatory Affirmative Action Language), Exhibit “B” (Employee Information Report), Exhibit “C” (Business Registration Certificate), Exhibit “D” (Business Entity Disclosure Certification), Exhibit “E: (Political Contributions Disclosure Certification), and Exhibit F (Insurance) are attached to and made a part of this contract.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-24 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-25**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – BOND COUNSEL SERVICES FOR**

 **2021**

 **WHEREAS,** the Borough of Califon has a need to acquire BOND COUNSEL SERVICES FOR THE BOROUGH OF CALIFON as a non-fair and open contract pursuant to 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 will exceed $17,500; and

 **WHEREAS,** the anticipated term of this contract is one year; and

 **WHEREAS, EVERETT M. JOHNSON, ESQ. OF WILENTZ, GOLDMAN AND SPITZER** has submitted a proposal, indicating that the fee for all BOND COUNSEL SERVICES rendered shall be $175.00 per hour; and

 **WHEREAS, EVERETT M. JOHNSON, ESQ. OF WILENTZ, GOLDMAN AND SPITZER** has completed and submitted a Business Entity Disclosure Certification which certifies that EVERETT M. JOHNSON, 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 EVERETT M. JOHNSON, 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 engineering services 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 spending.

 **NOW, THERFORE, BE IT RESOLVED** by the Borough Council of the Borough of Califon, authorizes the Mayor and Clerk of the Borough of Califon to enter into a contract with EVERETT M. JOHNSON, ESQ. OF WILENTZ, GOLDMAN AND SPITZER as described herein as Bond Counsel on behalf of the Borough of Califon for the year 2021; and

 **BE IT FURTHER RESOLVED** that a notice of this action shall be printed once in the Hunterdon Review; Califon Borough’s legally designated publication.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 2021-25 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2021-26**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – ENGINEERING SERVICES FOR**

**2021**

 **WHEREAS,** the Borough of Califon has a need to acquire ENGINEERING SERVICES FOR THE BOROUGH OF CALIFON as a non-fair and open contract pursuant to 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 will exceed $17,500; and

 **WHEREAS,** the anticipated term of this contract is one year; and

 **WHEREAS, THOMAS BOORADY, P.E. OF DARMOFALSKI ENGINEERING ASSOCIATES, INC.** has submitted a proposal, indicating that the fee for all ENGINEERING SERVICES rendered shall be $135.00 per hour; and

 **WHEREAS, THOMAS BOORADY, P.E. OF DARMOFALSKI ENGINEERING ASSOCIATES, INC.** has completed and submitted a Business Entity Disclosure Certification which certifies that THOMAS BOORADY, P.E. 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 THOMAS BOORADY, P.E. 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 engineering services 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 spending.

 **NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Califon, authorizes the Mayor and Municipal Clerk to enter into a contract with THOMAS BOORADY, P.E. OF DARMOFALSKI ENGINEERING ASSOCIATES, INC. as described herein as Engineer on behalf of the Borough of Califon for the year 2021; and

 **BE IT FURTHER RESOLVED** that a notice of this action shall be printed once in the Hunterdon Review; Califon Borough’s legally designated publication.

Motion was made by L. Janas seconded by E. Haversang to adopt Resolution 221-26 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **RESOLUTION – APPROVAL OF ANIMAL CONTROL SOLUTIONS, LLC AS BOROUGH ANIMAL CONTROL OFFICER – TOM DODD – PER DIEM/PER CALL**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-27**

**APPROVAL OF CONTRACT FOR ANIMAL CONTROL SERVICES TO THE BOROUGH OF CALIFON BY ANIMAL CONTROL SOLUTIONS, LLC FOR 2021**

**WHEREAS,** the Borough of Califon is required to provide animal control services to its residents

**WHEREAS,** Animal Control Solutions, LLC has submitted a contract for animal control services to the Borough of Califon, which is currently under attorney review; and

**WHEREAS,** Animal Control Solutions, LLC shall charge the Borough of Califon a monthly administrative fee of $150.00 and shall charge a per diem/call-out fee of $250.0 for any services listed in Appendix A of the contract; and

**WHEREAS,** based upon the last five years of animal control activity, it is not anticipated that the costs associated with animal control for 2021 will surpass the appropriated amount of $2,920.00.

 **NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Califon that the contract between the Borough of Califon and Animal Control Solutions, LLC for animal control services to the Borough of Califon for calendar year 2021 is hereby approved subject to final attorney review.

Motion was made by C. Smith seconded by M. Medea to adopt Resolution 2021-27 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

1. **SCHEDULE FOR 2021 MUNICIPAL BUDGET WORK SESSIONS**

Mayor Daniel stated that this year he would like to start the budget sessions with a sub-committee that would include him, the Clerk, the CFO, Amy Monahan, and 2 Council members to begin the process and then bring to the whole Council to finalize. For the 1st meeting, the Mayor suggested that he, the Clerk, the CFO and Councilman Janas begin the process with one Council volunteer; possibly Councilman Baggstrom, if available. The date for this first budget session has yet to be determined.

1. **RESOLUTION – CANCELLING THE COLLECTION OF TAXES ON PROPERTIES OF UNKNOWN OWNERSHIP BY THE TAX COLLECTOR**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-28**

 BE IT RESOLVED by the Mayor and Council of the Borough of Califon that the taxes on the following properties of unknown ownership, as listed in the tax duplicate of the Borough of Califon, are deemed to be uncollectible, and, that being so and according to New Jersey law 54:91-2, the tax collector is hereby released from the collection thereof and these taxes are therefore cancelled:

 BLOCK LOT AMOUNT

 5 28 7.01

 6 25 45.57

11 1.03 24.54

 21 5.01 21.03

 22 18 150.72

 31 13 70.10

Motion was made by E. Haversang seconded by R. Baggstrom to adopt Resolution 2021-28 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

**COMMITTEE REPORTS**

Councilman Medea reiterated from earlier in the meeting that the nets and goal equipment for lacrosse would be ordered and installed at Island Park for lacrosse practice.

Councilman Haversang reported that volunteers from the Recreation Committee would be busy taking down and storing the Christmas decorations this weekend.

Councilman Janas reported that the Planning Board met on December 30th. There were no specific agenda items to discuss however, the Planning Board did discuss the general business zone; no curbing or sidewalks planned at the Wilmark subdivision and the status on rentals and Air B&B’s in the Borough. Councilman Janas reported that Attorney Mark Anderson will no longer represent the Planning Board because he has accepted the position of Borough Attorney. He thanked Mr. Anderson for his service to the Board. The reorganization meeting of the Planning Board will be held on Wednesday, January 27th.

Councilman Baggstrom had no report for the Police. The Christmas Tree pickup will be held on Saturday, January 9th and January 16th by the Fire Co.

Councilman Collins had no report for tonight’s meeting.

Police Report:

The Chief, Jeff Almer, reported that it has been a busy year with high numbers of cases; hoping for an even better year in 2021. The Police Dept. is down 4-5 officers from Covid-19. The vaccines will help and are available now for the Police who are in group 1B.

**MAYOR’S REPORT**

Mayor Daniel reported on the storms that occurred on Christmas Eve and Day and on New Years Day. Mayor Daniel, aided by Councilman Haversang and property owner, Eric Gast, checked grates; cleaned debris from grates and culverts; checked intersection of Main and Philhower and River Rd. On New Year’s Day, these efforts resulted in eliminating any flooding to the residents and business owners on Main St., although serious flooding could not be avoided during the Christmas holiday. Mayor Daniel noted that his investigations during these storms clearly indicate that the entrances to the culverts need to be redesigned. The Mayor will be scheduling a meeting with the Borough Engineer and interested parties to walk the stormwater system to determine mitigation actions to lessen the flooding occurrences. Mayor Daniel agreed with Councilman Baggstrom’s suggestion that the NJWSA, co-owner of the Gary Winters open space property, be contacted to obtain any suggestions they may have for remediation. Councilman Medea’s expressed concern that there may be liability with moving of grates and suggested that perhaps fencing may be a safer option.

**COMMENTS FROM THE PUBLIC**

Jennifer Gross, resident of Philhower Ave. reported that after the big storm at Christmas, debris of rocks, stones and sticks were deposited in an area behind the lumber yard and suggested the DPW clean it up to help prevent future flooding. She suggested also that because of many underground streams on the Gary Winters property, perhaps work can be done on cleaning out the retention basins created on this property during the stormwater project.

**EXECUTIVE SESSION**

The following Resolution was introduced for adoption:

**RESOLUTION 2021-29**

**A 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. 10:4-12**

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

**WHEREAS,** the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

**WHEREAS,** it is necessary for the Borough Council of the Borough of Califon to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

 Matters involving Attorney/Client Privilege

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Califon, assembled in public session on January 4, 2021 that an Executive Session closed to the public shall be held on January 4, 2021, at 8:42 pm in the Califon Municipal Building, 39 Academy St., Califon, N.J. 07830, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2021-29 as read.

For: Unanimous

Opposed: None

**MOTION CARRIED**

Motion was made by L. Janas seconded by J. Collins to resume the regular Council meeting at 9:09 pm.

For: Unanimous

Opposed: None

**MOTION CARRIED**

There being no further business to come before Council at this time, motion was made by C. Smith seconded by R. Baggstrom and unanimously agreed to adjourn the meeting at 9:10 pm.

Respectfully submitted:

Laura G. Eidsvaag, RMC

Municipal Clerk/Administrator