

BOROUGH OF CALIFON
REGULAR MEETING
October 5, 2023

Mayor Charles Daniel called the regular meeting to order at 7:00 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 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, E. Haversang, L. Janas, M. Medea J. Ruggiero, C. Smith

**Also, Present Via Zoom: Borough Attorney, Mark Anderson
Chief J. Almer**

APPROVAL OF MINUTES

September 7, 2023, Regular Meeting

Motion was made by C. Smith seconded by J. Ruggiero to approve the meeting minutes of September 7, 2023.

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

Abstain: E. Haversang

Opposed: None

September 7, 2023, Executive Session

Motion was made by C. Smith seconded by L. Janas to approve the minutes of the Executive Session of September 7, 2023.

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

Abstain: E. Haversang

Opposed: None

September 21, 2023- Regular Meeting

Motion was made by R. Baggstrom seconded by L. Janas to approve the meeting minutes of September 21, 2023.

For: R. Baggstrom, L. Janas, M. Medea, J. Ruggiero

Abstain: E. Haversang, C. Smith

Opposed: None

LIST OF BILLS

Motion was made by M. Medea seconded by C. Smith to approve the list of bills for \$14,478.88.
For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, J. Ruggiero, C. Smith
Opposed: None

At this time, Mayor Daniels moved to Public Comments on the Agenda

PUBLIC COMMENTS

Kaitlyn Schobert of 42 Main St advised that she was following up on the speeding issues she brought to the council's attention at the September 7, 2023, council meeting.

Jennifer Farmer of 21 Main St was also in attendance.

A discussion concerning the various measures that the Borough is looking into to aid in controlling speed on Main Street took place.

Chief Almer advised that based on the data that they have collected over the years, there is not a speeding issue. Some people do speed, but overall, most motor vehicles are driving within the speed limit.

Mayor Daniel advised that we are moving toward obtaining another digital speed sign to be placed on Main Street by the Aqua Water parcel. The Borough is also looking into portable speed tables, which can be placed strategically on Main as you come down the hill.

Discussion on the possibility of placing an additional stop sign, possibly at Main and Philhower Road. Chief Almer answered questions concerning what steps need to take place before you can install a new speed sign.

Chief Almer advised he would contact the DOT to see if we could have a safety study conducted on this section of roadway.

CORRESPONDENCE

_Andrew Kondor, DCA-Fire Prevention Bureau – 9-29-23- email to Fire Marshal Matt Lopez approving the Shared Service agreement between Washington Township and Califon for Fire Prevention Services.

_ NJLM – 9-29-23- Notification that the dues will be increased by 2% in 2024.

_ FEMA- 10-3-23- Notification of a FEMA and FCC Plan for Nationwide Emergency Alert Test for October 4, 2023.

_Board of County Commissioners- September 21, 2023- Invitation from the Stigma Free Task Force to attend pancake breakfast on December 2nd at the Rt 12 County Complex

_ Progressive Insurance- September 18, 2023- status on subrogation of property damage claim.

_ State of NJ DEP- October 2, 2023- Announcement of applications for 2024 are being accepted through the Local Freight Impact Fund.

NEW BUSINESS

A. RESOLUTION- Supporting Assembly Bill No. 975 and Senate Bill No. 2643, requiring commercial vehicles to be equipped with certain global positioning systems.

The following Resolution was introduced for adoption:

RESOLUTION 2023-67

WHEREAS, bipartisan Assembly Bill No. 975 sponsored by Assemblyman John DiMaio and Assemblyman Daniel Benson would require a commercial motor vehicle operating upon the public highways of this State, to be equipped with a global positioning system navigation program that provides information about upcoming highway infrastructure with low vertical clearance and weight restrictions and dynamic route directions that account for commercial motor vehicle restrictions; and

WHEREAS, the legislation defines a "commercial motor vehicle" as a select group of vehicles with a gross vehicle weight rating of 26,001 or more pounds, or that display a gross vehicle weight rating of 26,001 or more pounds; and

WHEREAS, commercial motor vehicles have restricted routes of travel that are not readily displayed on civilian navigation systems that are sometimes used by operators of commercial motor vehicles; and

WHEREAS, because of limited information on civilian navigation systems, commercial motor vehicle operators often unintentionally end up on restricted weight roadways or are stopped along their route by a restricted weight bridge; and

WHEREAS, Hunterdon County has sustained damages to roadways and bridges as a result of overweight trucks traveling on them; and

WHEREAS, unless identified by a camera, or law enforcement personnel, Hunterdon County taxpayers are on the hook for the cost of repairs to infrastructure damaged by large trucks; and

WHEREAS, this legislation is also important given the number of historic bridges, culverts, and downtowns located throughout Hunterdon County that cannot accommodate large commercial vehicles and cause considerable disruption to local traffic flow; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Califon Mayor and Council does hereby support Assembly Bill No. 975 and Senate Bill No. 2643; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to members of the 15th, 16th, to and 23rd Legislative Districts.

Motion was made by R. Baggstrom seconded by E. Haversang to adopt Resolution 2023-67 as read.

For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, J. Ruggiero, C. Smith

Opposed: None

MOTION CARRIED

B. RESOLUTION -- Shared Service agreement with Washington Township for Fire Prevention Services.

RESOLUTION 2023-68

Title or Subject: AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF WASHINGTON AND THE BOROUGH OF CALIFON FOR THE PROVISION BY WASHINGTON TOWNSHIP OF FIRE PREVENTION OFFICER SERVICES INCLUDING SMOKE DETECTOR AND CARBON MONOXIDE DETECTOR INSPECTIONS TO THE BOROUGH OF

WHEREAS, the Township of Washington, County of Morris and the Borough of Califon, County of Hunterdon, desire to enter into a shared services agreement for the provision by Washington Township of Fire Prevention Officer services to Califon Borough; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

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

1. That the Mayor and Borough Clerk are hereby authorized to execute the Shared Services Agreement between the Township of Washington, County of Morris, and the Borough of Califon, County of Hunterdon, for Fire Prevention Officer services for a term to commence October 1, 2023, and to terminate on September 30, 2024.
2. A copy of the Agreement is on file in the office of the Borough Clerk for inspection by the public.
3. A copy of this Agreement shall be filed, for informational purposes, with the Department of Community Affairs, Division of Local Government Services, pursuant to rules and regulations promulgated by the Division.
4. This resolution shall take effect immediately.

Motion was made by C. Smith seconded by L. Janas to adopt Resolution 2023-68 as read.

For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, J. Ruggiero, C. Smith

Opposed: None

MOTION CARRIED

C. RESOLUTION - R- Appointment of Ray Fotta to the Califon Planning and Zoning Board as an alternate member.

RESOLUTION 2023-69

WHEREAS the Califon Borough Planning Board needs an alternate member.
and

WHEREAS, Ray Fotta, resident of Califon Borough and previous member of the Califon planning board, has agreed to serve as an alternate member; and

NOW, THEREFORE, BE IT RESOLVED that Charles J. Daniel, Mayor of Califon hereby approves the appointment of Ray Fotta as an alternate #1 member of the Califon Planning Board effective October 5, 2023, for a term of January 1, 2023, through December 31, 2024.

Motion was made by C. Smith seconded by R. Baggstrom to adopt Resolution 2023-69 as read.
For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, J. Ruggiero, C. Smith
Opposed: None

MOTION CARRIED

D. RESOLUTION - Appointment of Honorable Glenn Gavan to preside as the acting temporary Municipal Court Judge for Washington Township/Califon Court.

RESOLUTION NO. 2023-70

RESOLUTION OF THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY APPOINTING HONORABLE GLENN GAVAN, J.M.C. AS TEMPORARY ACTING JUDGE OF THE BOROUGH OF CALIFON MUNICIPAL COURT

WHEREAS, the Borough of Califon appointed the Honorable Frank Leanza J.M.C. as the Municipal Judge to preside over the Borough of Califon Municipal Court for a three (3) year appointment beginning January 1, 2023; and

WHEREAS, the Honorable Frank Leanza has requested that the Superior Court of New Jersey appoint a temporary Acting Judge to cover Borough of Califon Municipal Court sessions when he is unable to preside over such sessions for reasons that include conflict; and

WHEREAS, with the approval of the Honorable Peter J. Tober, Acting A.J.S.C. the Borough of Califon hereby appoints the Honorable Glenn Gavan, J.M.C. to serve as temporary Acting Municipal Court Judge in the absence of, or due to conflict with, the appointed judge of Borough of Califon Municipal Court, for court sessions only; and

WHEREAS, this appointment is for one year and may be renewed annually.

NOW THEREFORE, BE IT RESOLVED by the Borough of Califon, in the County of Hunterdon and State of New Jersey that the Honorable Glenn Gavan, J.M.C. is hereby appointed

as the temporary Acting Municipal Court Judge of the Borough of Califon Municipal Court for a term of October 5, 2023, through October 4, 2024.

Motion was made by R. Baggstrom seconded by J. Ruggiero to adopt Resolution 2023-70 as read.

For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, J. Ruggiero, C. Smith

Opposed: None

MOTION CARRIED

E. ORDINANCE REVIEW- Proposed establishment of a No-Knock Registry Ordinance.

Clerk Mastro advised that the Borough has received two applications for solicitor's license in the last three weeks. It has been years since the Borough received applications for a solicitor's license. Under the Borough's code of ordinances, chapter 5.08, there is not a NO-KNOCK registry offered to the residents. Discussion regarding whether Califon should adopt a No-Knock Ordinance took place, and it was unanimously agreed that this option should be offered to the residents of Califon.

Clerk Mastro advised that an introduction of this Ordinance will be on the agenda soon.

OLD BUSINESS

A. ORDINANCE - Public Hearing and Final adoption of Ordinance 2023-05

Mayor Daniel opened the public hearing on Ordinance 2023-05. There being no comments from the public, the public hearing was closed.

The following Ordinance was introduced for final adoption:

ORDINANCE NO. 2023-05

UNIFORM FIRE CODE ORDINANCE OF THE BOROUGH OF CALIFON

WHEREAS, the Uniform Fire Safety Act (P.L. 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

WHEREAS, the New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made part of the Uniform Fire Code (N.J.A.C. 5:70-1 *et seq.*); and

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose; and

WHEREAS, it is in the best interest of the Borough of Califon to have the Uniform Fire Code enforced locally;

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

Section 1. LOCAL ENFORCEMENT

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c.383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 *et seq.*) shall be locally enforced in the Borough of Califon.

Section. 2. AGENCY DESIGNATION

The local enforcing agency shall be the Washington Township (Morris County) Office of Fire Prevention. The Washington Township (Morris County) Office of Fire Prevention shall hereinafter be known as the "Local Enforcing Agency".

Section 3. DUTIES

A. The Local Enforcing Agency shall enforce the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the Borough of Califon other than one- and two-unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures, and premises owned or operated by the Federal Government, Interstate Agencies, or the State.

B. The Local Enforcing Agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

SECTION TWO:

Effective Date. This Ordinance shall take effect immediately upon publication of Notice of Final Passage in the manner provided by law.

Motion was made by R. Baggstrom seconded by J. Ruggiero to adopt Ordinance 2023-05 as read.

For: R. Baggstrom, E. Haversang, L. Janas, M. Medea, J. Ruggiero, C. Smith

Opposed: None

MOTION CARRIED

COMMITTEE REPORTS

Councilman Medea reported that the Parks & Recreation Committee members are all set for the 10th Annual Street Fair on Sunday.

There will be a pie eating contest, live bands, and lots of great food and beer sponsored by the Sunken Silo!

Councilman Haversang reported that the EC Commission will have an activity at the Street Fair and encouraged everyone to stop by and see what it is all about!

Councilman Janas reported that the next Planning and Zoning meeting will be on Wednesday, October 18th.

Councilwoman Smith reported that she attended the September 19th Historical Society meeting. There will be a holiday open house at the Cabin by the River as well as the Hoffman House on; November 19th, December 3rd, and December 10th.

There is a long-range plan to seek permission to put up a shed on the Hoffman property for storing seasonal Historic Society artifacts and supplies. Discussion regarding notification to NJWSA and property zoning application took place.

Councilwoman Smith reported that she attended the September 20th Board of Education meeting. Enrollment is at 82 students.

Mrs. Kooger celebrated 35 years of service and Mrs. Patterson celebrated 25 years of service. Councilwoman Smith reported that one of the Califon – Tewksbury Board of Education seats is up for election.

Councilman Bagstrom advised he had nothing further to report.

Councilman Ruggiero reported that the Crier went out this week.

Councilman Ruggiero reported that we will be placing trail cams down at the park in the near future as a trial to see if any improvement and impact is made.

MAYORS REPORT

Mayor Daniel reported that he and Councilman Medea met with the Borough Engineer, Tom Boorady, yesterday to visit locations where we have been experiencing consistent flooding problems or new issues.

The first location was the channel behind the firehouse. Mayor Daniel advised that we will change the grate design to allow more water to pass through. Our engineer has reviewed and approved the design submitted by our DPW supervisor, and a local fabricator/welder will make these grates.

31 Main Street was visited next. Access to the culvert has been improved as the homeowner removed the gazebo and part of the garage over the culvert. Mayor Daniel advised that they are looking to open up the section where the water comes in as it is currently caved in.

The following location was Eisenhower Lane. Water is coming down from Hoffman Drive straight down into 6 Eisenhower lanes driveway and entrance to the property. The Borough Engineer made some recommendations to the homeowners about what they could do to move the water off their property to the drainage grates.

T. Boorady viewed 38 School Street, where there have been complaints about stormwater accessing the back of their property. The Borough engineer recommended that the homeowner do landscaping to move the water out onto School St Extension.

Mayor Daniel advised that they are trying to figure out ways to minimize flooding but also keep the costs down.

Councilman Haversang asked if they looked at the sentiment buildup on the Frog Hollow Brook at the bridge on Bank Street.

Clerk Mastro advised that she forwarded an email and photos to the County as they will be repairing this bridge and will have to look at remediating this section of the creek to avoid continued damage to the bridge. She will follow up with the County.

Discussion concerning additional measures that can be taken on the parcel owned by the Borough of Califon and the New Jersey Water Supply Authority occurred. Mayor Daniel

reported that the Borough is working with NJWSA and the Borough engineer to take the remediation further.

There being no further business to come before Council at this time, a motion was made by C. Smith seconded by R. Baggstrom, and unanimously accepted to adjourn at 8:20 pm.

Respectfully Submitted,

Karen Mastro, RMC