**BOROUGH OF CALIFON**

**REGULAR MEETING**

**June 20, 2024**

Mayor Charles Daniel called the regular meeting to order at 7:03 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, L. Janas, J. Ruggiero, C. Smith**

 **Absent: E. Haversang, M. Medea**

**Also, Present Adam Berger, Director of Operations- Aqua Water,**

**Chief L. Morris, CFC, Chief J. Almer, WTPD**

**Borough Attorney M. Anderson – Via Zoom**

Mayor Daniel Moved the agenda to discuss water issues with Aqua Water's Director of Operations, A. Berger.

Mr. Berger advised that we have a lot of iron deposits in our area. In the spring, they had to change the water flow at the Sliker Rd plant, which stirred up the iron deposits. This was treated by flushing, which works but takes time. They plan on continuing with a flushing program this summer and will continue to be vigilant.

Mr. Berger advised that if we are experiencing problems, please email him directly, and he will send someone out immediately to look at the problem.

Councilman Ruggiero said he has had more problems with brown water this last year than any other year. He advised that they have experienced brown water 12 times since February. Councilman Ruggiero asked what Aqua could do to reduce or eliminate these conditions.

It was noted that problems with brown water occur in only a few areas of the Borough, and most of the problems occur at the bottom of Hoffman Rd. Mr. Berger advised that this is because this street is a dead end, and instead of continuing to flow, it stops and sits. Mr. Berger advised that the recent installation of a blowout should improve, and they can also install an Auto Flusher that can be programmed to flush out water at regular intervals to purge out the sediment and keep the water running.

Resident M. Taylor asked if there are any plans to replace aging infrastructure, which may also contribute to the problems. Mr. Berger advised that they are about to begin their main line replacement project, and if his street has a galvanized water main, it will be in line for replacement.

Councilman Ruggiero thanked Mr. Berger for coming out and listening and for his prompt action on installing the blowout.

Mayor Daniels moved the meeting to Chief Almer for the Police Chief’s report.

Chief Almer advised that there are no issues to report. No questions for Chief Almer.

Mayor Daniels asked Califon Fire Company Chief Liam Morris if he had something to share. Chief Morris said they succeeded in their 2024 ARP Fire Fighters Grant and were rewarded $75,000. They will use this to replace 12 sets of turnout gear and six thermal imaging cameras.

Mayor Daniel congratulated Chief Morris on receiving this award.

Mayor Daniel asked that we move to the Budget Hearing.

1. **PUBLIC HEARING AND FINAL ADOPTION OF THE 2024 MUNICIPAL BUDGET**

At this time, Anthony Ardito, the Borough’s Registered Municipal Accountant and auditor, joined the meeting via conference call. Mayor Daniel asked the Acting CFO, Amy Monahan if she had anything to add or would like to comment about this budget. A. Monahan advised that she did not.

Anthony Ardito advised that the budget is ready for a public hearing and final adoption.

Mayor Daniel Opened the Meeting for a Public Hearing on the 2024 Budget.

No public comments were made concerning the budget, and the Public Hearing was closed.

Motion was made by L. Janas to approve the 2024 Budget seconded by R. Baggstrom.

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

Absent: E. Haversang, M. Medea

**Opposed: None**

**MOTION CARRIED**

**APPROVAL OF MINUTES- Meeting of June 6. 2024**

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Motion was made by R. Baggstrom seconded by C. Smith to approve the meeting minutes of June 6, 2024.

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

Absent: E. Haversang, M. Medea

Opposed: None

**MOTION CARRIED**

**LIST OF BILLS**

Motion was made by J. Ruggiero to approve the list of bills in the amount of $637,452.68 seconded by C. Smith.

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

Absent: E. Haversang, M. Medea

Opposed: None

**MOTION CARRIED**

**CORRESPONDENCE**

\_Thank you note from L. Patterson, Califon School Nurse, for the bouquet of flowers sent by council members, recognizing her retirement.

\_email from K. Pyatt, DPW – total cost for brush pick up came to $5,711.57 which is in line with past years.

\_Flyer from RHA announcing a public information session on July 31st at the LVPC regarding the removal of the Coles Mill Dam.

Clerk Mastro advised that she received several complaints from residents concerning unlicensed solicitors for a pest control company.

**TAX COLLECTORS REPORT**

The Tax Collectors’ reports were reviewed and filed.

**NEW BUSINESS**

1. **INTRODUCTION TO ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT – ORDINANCE 2024-05**

Councilman Ruggiero inquired if this ordinance was primarily directed to new construction/development.

Borough attorney M. Anderson replied that this Ordinance is not entirely for new construction, but developers must include it in their plans. It does permit retrofitting for current business owners. If a business would like to install a charging station, they can go right to the construction office for a construction permit and not have to go through zoning and planning for permission.

Motion was made by C. Smith to approve the introduction of Ordinance 2024-05 – Electric Vehicle Supply/Service Equipment seconded by L. Janas.

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

Absent: E. Haversang, M. Medea

Opposed: None

**MOTION CARRIED**

 **CONSENT AGENDA**

(Adoption upon Roll Call)

 “Consent Agenda items are routine and will be enacted with a single motion. Any items that require expenditures are supported by a certification of funds; any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in the full minutes.”

The following resolutions were introduced for adoption:

1. **NEW BUSINESS** – **RESOLUTION 2024**- **Through 2024- 43- 2024-49**

**RESOLUTION 2024- 43 APPROVAL to apply for the Hunterdon County Open Space Trust Fund Grant Application to fund the cost of replacing the Municipal Building front steps.**

**RESOLUTION 2024- 44 Approve the Hunterdon County Municipal Infrastructure Grant Program application for Stormwater Remediation Assistance.**

**RESOLUTION 2024-45 RELEASE OF $23,698.56 of the Performance Surety Bond #Ru101068 - Wilmark Building Contractors, Inc**

**RESOLUTION 2024- 46 APPROVAL TO USE OPEN SPACE FUNDS**

**Amount: $5,200.00 for stump grinding at Califon Island Park and removing the tree and bushes on the island at Main & Academy. (in front of the Post Office)**

**RESOLUTION 2024- 47 APPROVE JANUARY 2, 2025, for the Reorganization Date for the Califon Council and to eliminate the July 4th and the August 1st Council meetings.**

**RESOLUTION 2024- 48 APPOINTMENT OF Nieves Ferdinand to Califon Planning Zoning Board as Class IV Member.**

**RESOLUTION 2024-49 – Self Examination of 2024 Municipal Budget by Governing Body**

The mayor asked that we pull out Resolution 2024- 45 and Resolution 2024-47.

**RESOLUTION 2024- 43 APPROVAL to apply for the Hunterdon County Open Space Trust Fund Grant Application to fund the cost of replacing the Municipal Building front steps.**

**RESOLUTION 2024-43**

**BOROUGH OF cALIFON**

**County of Hunterdon**

**WHEREAS**, the Hunterdon County Board of Chosen Freeholders has approved an Open Space, Recreation, Farmland and Historic Preservation Trust Fund and established a Historic Preservation Grant Program to provide County funds in connection with the acquisition of historic properties and the preservation of historic properties, buildings, structures facilities, sites, areas or objects, in Hunterdon County; and

WHEREAS, the Borough of Califon desires to further the public interest by obtaining funding in the amount of $52,000.00 from the County of Hunterdon to fund the following historic preservation project:

Replacement of the Old School House front walkway and steps at a cost of $52,000.00;

**NOW, THEREFORE**, the governing body/board resolves that Karen Mastro, Municipal Clerk/Administrator or the successor to the office of Califon Brough Municipal Offices, is hereby authorized to:

(a) make application for such Historic Preservation Grant Funds,

(b) provide additional application information and furnish such documents as may be required, and

(c) act as the authorized correspondent of the above-named applicant and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, adopted Freeholder Board Policies and the Procedures Manual for the Historic Preservation Grant Program adopted thereto, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the County funds in accordance with such adopted Policies and Procedures, and rules, regulations and applicable statutes;

**NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE** **GOVERNING BODY OF THE BOROUGH OF CALIFON;**

1. That the Municipal Clerk/Administrator of the above-named body or board is hereby authorized to execute any documents and agreements with the County of Hunterdon known as Old School House Front Steps & Walkway Replacement.

2. That the applicant has its share of funds if required, in the amount of $ 8,000.00.

3. That, in the event, the County of Hunterdon’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;

4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its

 performance of the project; and

5. That this Resolution shall take effect immediately.

**RESOLUTION 2024- 46 APPROVAL TO USE OPEN SPACE FUNDS**

**Amount: $5,200.00 for stump grinding at Califon Island Park and removing the tree and bushes on the island at Main & Academy. (in front of the Post Office)**

**BOROUGH OF CALIFON**

**COUNTY OF HUNTERDON**

**STATE OF NEW JERSEY**

**RESOLUTION 2024-46**

**Approval to use $5,200 out of Califon Borough’s Open Space Trust Account for Califon Island Park and the Main Street Island Maintenance**

**WHEREAS,** the Califon’s Open Space Trust account that may be used for maintenance of the Califon Parks and Historic properties, among other permitted uses

**WHEREAS** the Borough of Califon seeks to use $5,200.00 to grind approximately 40 tree stumps at Califon Island Park and for tree and bush removal at the island on Main Street.

 **BE IT RESOLVED** that the Mayor and Council of the Borough of Califon, County of Hunterdon, State of New Jersey, approve utilizing these funds to support the maintenance and upkeep of our parks.

**RESOLUTION 2024- 48 APPOINTMENT OF Nieves Ferdinand to Califon Planning Zoning Board as Class IV Member.**

**BOROUGH OF CALIFON**

**COUNTY OF HUNTERDON**

**STATE OF NEW JERSEY**

**RESOLUTION 2024-48**

**WHEREAS** the Califon Borough Planning Board / Board of Adjustment needs an Environmental Commission member, and;

**WHEREAS,** Nieves Ferdinand, resident of Califon Borough, has agreed to serve as a Class IV member and;

**NOW, THEREFORE, BE IT RESOLVED** that Charles J. Daniel, Mayor of Califon, hereby approves the appointment of Nieves Ferdinand as a Class IV member of the Califon Planning Board effective June 20, 2024, for the term of June 20, 2024, through December 31, 2025.

**RESOLUTION 2024-49 – Self Examination of 2024 Municipal Budget by Governing Body**

**BOROUGH OF CALIFON**

**COUNTY OF HUNTERDON**

**STATE OF NEW JERSEY**

**A RESOLUTION**

**2024-49**

 **WHEREAS**, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

  **WHEREAS**, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

  **WHEREAS**, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Borough of Califon has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough of Califon meets the necessary conditions to participate in the program for the 2024 budget year, so now therefore,

  **BE IT RESOLVED**, by the Borough Committee of the Borough of Califon that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

 1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

 a. Payment of interest and debt redemption charges

 b. Deferred charges and statutory expenditures

 c. Cash deficit of preceding year

 d. Reserve for uncollected taxes

 e. Other reserves and non-disbursement items

 f. Any inclusions of amounts required for school purposes

 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)

 3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

1. All estimates of revenue are reasonable, accurate and correctly stated;
2. Items of appropriation are properly set forth;
3. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

 5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.

 6. That all other applicable statutory requirements have been fulfilled.

 **BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Mayor Daniel asked for a motion to approve the amended Consent Agenda.

Motion was made by J. Ruggiero to approve the amended consent agenda seconded by R. Baggstrom.

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

Absent: E. Haversang, M. Medea

Opposed: None

**MOTION CARRIED**

**RESOLUTION 2024-45 RELEASE OF $23,698.56 of the Performance Surety Bond #Ru101068 - Wilmark Building Contractors, Inc**

Mayor Daniel asked the Borough attorney if the release of the performance bond would impact the stormwater management plans and facilities that are the responsibility of the homeowner’s association in any way.

M. Anderson advised that no, this refers only to those subdivision improvements that were intended and do end up within the Borough’s control. The engineers indicated that those improvements have been completed and are in conformance with the plans. This does not affect those facilities not owned by or controlled by the Borough.

With no further questions Resolution 2024-45 was reviewed for adoption:

**RESOLUTION 2024-45**

**RESOLUTION RELEASING PERFORMANCE
GUARANTEES FOR PROPERTY KNOWN AS
CALIFON ESTATES-WADE FAMILY PARTNERSHIP,
LP
BEING BLOCK 2 LOT 3.01**

**WHEREAS,** the Borough of Califon has received performance guarantees posted on behalf of Wilmark Building Contractors, Inc. to insure the successful completion of improvements with regard to Block 2 Lot 3.01 on the Califon Borough tax map; and

**WHEREAS,** the Borough Engineer has communicated to the Borough that the work has been completed in substantial conformance to the approved subdivision plans and recommends release of the performance guarantees based upon the successful completion of the work, subject to certain standard conditions and

**WHEREAS,** the Borough Council believes it is appropriate to release performance bond number RU101068M previously posted by First Indemnity of America Insurance Company, and cash guarantee held by the Chief Financial Officer in the amount of $ 22,483.56, subject to the conditions set forth therein;

**NOW, THEREFORE, BE IT RESOLVED,** by the Borough Council of the Borough of Califon, County of Hunterdon, State of New Jersey that the performance bond posted by First Indemnity of America Insurance Company and cash guarantee held by the Chief Financial Officer shall be released to Wilmark Building Contractors, Inc., subject to the following conditions:

1. Posting of a two-year maintenance guarantee in the amount of $29,623.20.
2. Payment of all outstanding escrows. $1,000.00 shall be maintained in escrow in order for the improvements to be inspected prior to the expiration of the maintenance guarantee.

Motion was made by C. Smith to adopt Resolution 2024-45 as read, seconded by L. Janas.

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

Absent: E. Haversang, M. Medea

Opposed: None

**MOTION CARRIED**

 **RESOLUTION 2024- 47 APPROVE JANUARY 2, 2025, for the Reorganization Date for the Califon Council and to eliminate the July 4th and the August 1st Council meetings.**

Councilman Baggstrom inquired about the August meeting dates for the Public Hearing and final adoption of the EV Ordinance 2024-05. It was confirmed that this would need to be scheduled for the August 15th meeting to allow the Planning Board time to review.

With no further questions, the following Resolution was reviewed for adoption.

**RESOLUTION 2024-47**

**WHEREAS,** the Borough Council will hold the 2025 Reorganization Meeting on January 2, 2025.

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**WHEREAS,** the council would like to eliminate July 4, 2024, the August 1, 2024, meeting date; and

**WHEREAS** the Califon Council will meet on July 18th and August 15, 2024.

**NOW THEREFORE, BE IT RESOLVED** that these meeting dates and changes will be published in the Hunterdon Review in accordance with the Sunshine Act.

Motion was made by R. Baggstrom to adopt Resolution 2024-47 as read, seconded by J. Ruggiero. .

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

Absent: E. Haversang, M. Medea

Opposed: None

**MOTION CARRIED**

**SHORT-TERM RENTALS- DISCUSSION**

Mayor Daniel asked that this be tabled until the next meeting so that the council members who are absent tonight can participate in the discussion.

**COMMITTEE REPORTS**

Councilman Janas reported that the Planning and Zoning meeting was canceled due to a lack of agenda items. The next meeting is scheduled for July 17, 2024.

Councilwoman Smith reported that the Califon Board of Education meeting was on Tuesday, June 18th. Six students were to graduate from the 8th grade on June 19th.

Councilwoman Smith reported that 11 Kindergarten students are enrolled for the fall. The preschool class is full, and there is a waiting list.

Councilwoman Smith reported that the Califon Historical Society met the same evening. The county has approved the Eagle Project for steps from the Columbia trail to the Hoffman House.

The outhouse on the property needs foundation repair, and the Historical Society would like to know if it can use Open Space funds for this project.

The Historical Society is waiting for a response from the State Green Acres regarding their zoning application for the shed they would like to install on the Hoffman House property.

Councilman Baggstrom reported that we are still awaiting additional quotes for the inlet repairs.

Councilman Ruggiero reported that he could not make the Parks and Recreation meeting but received an update. He advised that the Street Fair is set for Sunday, October 13th,and organization is underway. This year, they will have an Open Mic by the Firehouse during the event.

Califon Fun Days will be taking place from July 8th through July 12th. Member Stephanie Thaler is doing a fantastic job and has a full week of fun, engaging, and educational activities planned for 3 to 6-year-olds that week.

**MAYOR’S REPORT**

On June 14th, we had a Stormwater Meeting attended by the County Engineer, Tom Boorady, the Borough engineer; Ken Klipstein and Angela Mostwill from the New Jersey Water Supply Authority; Kevin Pyatt and Brian Connor from our DPW; Council President Mike Medea; and Councilman Jay Ruggiero.

This meeting explained to the County the flooding issues Califon has been experiencing and that we need assistance. A presentation explained that we felt the county could assist us by diverting the water from Academy Street through the storm water pipes down to the river instead of through the triangle property. This water appears to significantly contribute to the flooding at the firehouse and Main Street.

Mayor Daniel said the meeting was positive, and the County engineer said the County would like to assist. However, we will have to develop a study and recommendations, and then they will see what they can do to assist.

Mayor Daniel also reported that the NJWSA is conducting studies on the triangle property it co-owns with the Borough and is committed to assisting us.

Mayor Daniel advised that after this meeting, an Ms4 meeting took place to discuss the Tier A stormwater permit and the SPPP Plan submitted to the DEP. Currently, Tewksbury is assessing the cost of providing Tier A services to their municipality and Califon.

Mayor Daniel reported attending the Califon School eighth-grade graduation ceremony, where two young men and four young ladies graduated. As is the tradition at the Califon School, each graduate prepares and reads a speech. Mayor Daniel presented the Civic Award to Noah Schultz, and parents and community members well attended the event.

**PUBLIC COMMENT**

Mayor Daniel opened the meeting up for public comment. With no comments to be made

Councilwoman Smith made a motion to adjourn the meeting at 8:21 pm seconded by R. Baggstrom.

All In Favor.

Respectfully Submitted,

Karen Mastro, RMC, CMR