**Califon Borough planning/zoning Board**

**reorganization and regular MINUTES**

**January 17, 2024**

NOTICE IS HEREBY GIVEN THAT THE PLANNING BOARD OF THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, WILL HOLD A REORGANIZATION AND REGULAR PUBLIC MEETING ON WEDNESDAY, JANUARY 18, AT 7:30 PM AT THE BOROUGH MUNICIPAL BUILDING LOCATED AT 39 ACADEMY STREET, CALIFON, NJ 07830.

THE FOLLOWING IS AN AGENDA FOR SAID MEETING AND FORMAL ACTION MAY OR MAY NOT BE TAKEN ON A PORTION OF THIS AGENDA. THE PUBLIC IS INVITED AND MAY ATTEND SAID MEETING SUBJECT TO THOSE AREAS OF CONSIDERATION DESIGNATED, IF ANY, FROM WICH THE PUBLIC MAY BE EXCLUDED PURSUANT TO SECTION 7B & 8 OF THE LAWS OF 1975.

**REORGANIZATION MEETING 7:30 P.M.**

1. **CALL TO ORDER:** Member Arthur Owens called the meeting to order.
2. **OPEN PUBLIC MEETINGS ACT STATEMENT:** Arthur Owens read the Open Public Meetings Act Statement.

Adequate notice of this meeting of the Califon Borough Planning/Zoning Board was given as required by the “Open Public Meetings Act” as follows: notice was sent to the Hunterdon Review and Hunterdon Democrat, posted on the bulletin board in the Borough Municipal Building, posted on the Borough website and filed with the Borough Clerk.

1. **FLAG SALUTE:** Arthur Owens led all present in the Flag Salute
2. **ROLL CALL**

Mayor Daniel: Present Leo Janas: Present

Meghan Casserly: Present Jason Bittay: Present

John Lynch: Present Arthur Owens: Present

Ron Preblick: Absent

**5.** **OATH OF OFFICE:** Mayor Daniel swore in:  
 Arthur Owens- Class IV- 4 Year Term : 01/01/2024- 12/31/2027

John Lynch- Class IV- 4 year term: 01/01/2024- 13/31/2027

Christopher Danik- Alternate 2- 2-year term: 01/01/2024- 12/31/2025

Chairman Owens confirmed that the two newspapers used will continue to be the Hunterdon Review and Hunterdon Democrat. Discussion concerning the need to pick another meeting date for May and October due to conflict. Members of the board agreed to continue to have the meetings on the third Wednesday of the month, except in May, which will be on May 22nd, and in October, which will be on October 23rd.

The secretary inquired if anyone would oppose holding the meetings at 7:00 p.m. instead of 7:30 p.m. All present members agreed to change the time. The Planning Board Attorney is away, so we must check with him before publication.

**RESOLUTION 2024-01**

**ANNUAL RESOLUTION OF BOROUGH OF CALIFON**

**PLANNING/ZONING BOARD**

**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 Califon Borough Planning /Zoning Board, of the Borough of Califon, County of Hunterdon, State of New Jersey, as follows:

1. Regular meetings of the Borough Planning/ Zoning Board shall be held during the **2024** calendar year at **7 00 p.m.** prevailing time, on the third Wednesday of each month except for in May and October where the meeting will be on May 22nd and October 23rd 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. This is pending the approval of the Planning Board Attorney.
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, 2023, **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 this public body's regular and special open meetings 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 Tom Lynch to adopt **Resolution 2024-01** pending the acceptance of the Planning Board Attorney, seconded by Meghan Casserly.

All present voted in favor, and no one opposed.

Motion Carried

1. **REORGANIZATION OF THE BOARD**
2. **ELECTION OF CHAIRMAN:**  Vice Chair John Lynch nominated Arthur Owens as the Chairman, seconded by Jason Bittay

All Members present voted in favor, none opposed.

1. **ELECTION OF VICE CHAIRMAN:** Arthur Owens nominated John Lynch as Vice Chair, seconded by Meghan Casserly.

All members present voted in favor, and none opposed.

1. **APPOINTMENT OF BOARD SECRETARY:** John Lynch made a motion to nominate Meghan Casserly as Board Secretary, seconded by Jason Bittay.

All members present voted in favor, and none opposed.

1. **APPOINTMENT OF BOARD PROFESSIONALS**
2. **Professional Planner: Resolution 2024-02**

The following Resolution was introduced for adoption:

**RESOLUTION # 2024-02**

**RESOLUTION AUTHORIZING CONTRACT FOR**

**LAND USE BOARD PLANNER SERVICES FOR**

**2024**

**WHEREAS,** the Borough of Califon needs to acquire Land Use Services to the Planning Board/Board of Adjustment as a non-fair and open contract pursuant to the 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 may exceed $17,500 and

**WHEREAS** the anticipated term of these contracts is for one year, and

**WHEREAS, JAMES KYLE THE FIRM OF KYLE PLANNING AND DESIGN, LLC has** submitted a proposal indicating that the fee for all legal services rendered shall be $147.00 per hour; and

**WHEREAS, JAMES KYLE** has completed and submitted a Business Entity Disclosure Certification, which certifies that JAMES KYLE. 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 JAMES KYLE 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 LAND USE BOARD PLANNING services for the Borough Planning Board/Board of Adjustment 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 Planning Board Chairman and Secretary to enter into a contract with JAMES KYLE. as described herein, as attorney providing legal services on behalf of the Borough of Califon Planning Board/Board of Adjustment for the year 2018; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the 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 the Hunterdon Review.

Motion was made by Leo Janas seconded by John Lynch, to adopt Resolution 2024-02.

All present voted in favor; none were opposed.

Motion Carried

1. **Professional Engineer:**

The following Resolution was introduced for adoption:

**RESOLUTION # 2024-03**

**RESOLUTION AUTHORIZING CONTRACT FOR**

**PLANNING BOARD/BOARD OF ADJUSTMENT ENGINEERING SERVICES FOR**

**2024**

**WHEREAS,** the Borough of Califon has a need to acquire Land Use Services to the Planning Board/Board of Adjustment as a non-fair and open contract pursuant to the 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 may exceed $17,500; and

**WHEREAS** the anticipated term of these contracts is for one year, and

**Thomas Boorady of Darmofalski Engineering Associates** ha**s** submitted a proposal indicating that the fee for all legal services rendered shall be $140.00 per hour and

**WHEREAS, Thomas Boorady has** completed and submitted a Business Entity Disclosure Certification which certifies that Thomas Boorady. 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 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 LAND USE BOARD PLANNING services for the Borough Planning Board/Board of Adjustment 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 Planning Board Chairman and Secretary to enter into a contract with Thomas Boorady, PE. as described herein, as an attorney providing legal services on behalf of the Borough of Califon Planning Board/Board of Adjustment for the year 2024; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the 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 the Hunterdon Review.

Motion was made by Tom Lynch seconded by Jason Bittay to adopt Resolution 2024-03.

All present voted in favor; none were opposed.

Motion Carried

1. **Professional Attorney- Resolution 2024-04**

The following Resolution was introduced for adoption.

**RESOLUTION # 2024-04**

**RESOLUTION AUTHORIZING CONTRACT FOR PLANNING BOARD/BOARD OF ADJUSTMENT LEGAL SERVICES FOR**

**2024**

**WHEREAS,** the Borough of Califon needs to acquire LEGAL services to the Planning Board/Board of Adjustment as a non-fair and open contract pursuant to the 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 may exceed $17,500 and

**WHEREAS,** the anticipated term of these contracts is for one year; and

**WHEREAS, Jonathan Testa, ESQ,** of Dorsey & Semrau, **has** submitted a proposal indicating that the fee for all legal services rendered shall be $145.00 per hour; and

**WHEREAS, Jonathan Testa, ESQ.** has completed and submitted a Business Entity Disclosure Certification, which certifies that Jonathan Testa, 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 Jonathan Testa 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 LEGAL services for the Borough Planning Board/Board of Adjustment 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 Planning Board Chairman and Secretary to enter a contract with Jonathan Testa, ESQ. as described herein, as an attorney providing legal services on behalf of the Borough of Califon Planning Board/Board of Adjustment for the year 2024; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the 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 the Hunterdon Review

Motion was made by Tom Lynch seconded by Meghan Casserly.

All present voted in favor, none were opposed.

Motion Carried

With no further Reorganization Business to attend, motion was made by Leo Janas seconded by Meghan Casserly to adjourn the meeting at 7:39p.m.

**CALIFON PLANNING/ZOING**

**REGULAR MEETING MINUTES**

**JANUARY 17, 2024**