

**FIRST REGULAR MEETING OF 2024
JANUARY 4, 2024**

2024 REGULAR MEETING – CALL TO ORDER

The first regular meeting of the Califon Borough Council was called to order by Mayor Daniel at 7:23pm.

Mayor Daniel announced and had placed in the minutes that “*adequate notice of this 2024 Regular meeting of the Califon Borough Council 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*”.

APPROVAL OF MINUTES- Minutes of December 21, 2023

Council Member Smith noted that in her Committee Report it states she did not attend the Califon Board of Education meeting when she did attend.

No other corrections were noted.

C. Smith made a motion, seconded by L. Janas, to approve the minutes from the meeting held on 12/21.23, with correction noted.

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

Opposed: None

Abstain: E. Haversang

Absent: R. Baggstrom

MOTION CARRIED

CORRESPONDENCE

_ letter from NJ General Assembly member E.Peterson thanking the Califon Council for their support of Senate Bill No. 2643 and Assembly Bill No. 975

_ Letter from the Board of County Commissioners advising of Green Acres Jake’s Law Grant for Completely Inclusive Playground

_email from Construction Official to Fire Marshal advising that the ceiling tiles noted as a violation during inspection are not part of the fire separation assembly.

_ email from DPW manager K. Pyatt to Luke Bonham, Supervisor of County Bridges regarding the need to remove silt by the Bank Street Bridge.

_email from Suburban Consulting advising that the state has returned the preliminary digital tax maps with a list of items to be changed/corrected.

PUBLIC COMMENT

Mayor Daniel moved to Public Comment on the Agenda.

Resident Boris Fishman of 165 Philhower Ave. asked if he could read a letter he prepared.

Mr. Fishman distributed the letter to council members and read it out loud.

Mr. Fishman has suggested that the council investigate reducing the use of leaf blowers, specifically gas-powered leaf blowers, within the Borough for environmental and health reasons.

Mayor Daniel advised that his letter would be forwarded to the Environmental Commission for consideration.

Mayor Daniel asked Chief Almer if he had anything to comment on to the Council. Chief Almer said it was a good year for Califon and the police department.

OLD BUSINESS

There was no old business.

NEW BUSINESS

INTRODUCTION OF ORDINANCE 2024-01 COLA/ INDEX

The mayor read Ordinance 2024-01 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)

Motion was made by Councilman Haversang seconded by Councilman Medea to adopt Ordinance 2024-01.

Roll Call Vote

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

Opposed: None

Absent: R. Baggstrom

RESOLUTION 2024-18- APPROVAL OF 2024 TEMPORARY APPROPRIATIONS BUDGET

The following Resolution was introduced for adoption:

**RESOLUTION 2023-18
TEMPORARY BUDGET**

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 2023 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 2023, and

WHEREAS, the total appropriations in the 2022 Budget, less appropriations made for the capital improvement fund, debt services, and relief of the poor (public assistance) are as follows:

General \$ 115,229.00

WHEREAS, 26.25 percent of the total appropriations in the 2022 Budget, less appropriations for capital improvement fund, debt service, and relief of the poor (public assistance) in the said 2022 Budget is as follows:

General \$302,478.23

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 appropriations are hereby made for 2023:

General \$302,478.23

Motion was made by Council member Janas seconded by Council member Haversang to adopt Resolution 2024-20 as read.

Roll Call Vote

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

Opposed: None

Absent: R. Bagstrom

CONSENT AGENDA

Matters listed on the Consent Agenda are considered routine and will be enacted by one motion of the Borough Council and a roll call vote. There will be no separate discussion of these items unless a Council member or a member of the public requests an item be removed from the Consent Agenda.

One motion to approve Resolutions 2024-19- 2024-23- Professional Services Contracts

Motion was made by Council member Smith seconded by Council member Ruggiero to approve Resolution 2024-19 through 2024-23.

Roll Call Vote

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

Opposed: None

Absent: R. Bagstrom

RESOLUTION #2024-19

WHEREAS, the Borough of Califon needs 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 \$23,937 (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 2024; 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.

RESOLUTION 2024-20

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL SERVICES – ENGINEERING SERVICES FOR
BOROUGH ENGINEER - 2024**

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 Chairman and Secretary of the Califon Planning Board/Board of Adjustment 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 2024; 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.

RESOLUTION 2024-21

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVES-BOND COUNSEL SERVICES FOR 2023

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 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 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 BOND COUNSEL services for the Borough of Califon 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 or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, 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 2024, 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.

RESOLUTION #2024-22

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – LEGAL; COUNSEL FOR 2024

WHEREAS, the Borough of Califon needs to acquire LEGAL SERVICES for the BOROUGH OF CALIFON 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, MARK S. ANDERSON, ESQ. OF WOOLSON ANDERSON PEACH, has submitted a proposal indicating that the fee for LEGAL COUNSEL services rendered shall be \$175.00 per hour; and the total amount for this term shall not exceed \$28,000 unless discussed with the council;

WHEREAS, MARK S. ANDERSON, ESQ. 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 S. 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 LEGAL COUNSEL services for the Borough of Califon 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 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 to enter into a contract with MARK S. ANDERSON, ESQ. as described herein, as an Attorney providing LEGAL COUNSEL services on behalf of the Borough of Califon 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.

RESOLUTION 2024-23

WHEREAS, the State of New Jersey; Dept. of the Treasury, Division of Purchase and property Contract Compliance & Audit Unit: EEO Monitoring Program requires that, by law, every public agency must designate a Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, an individual designated to serve as the Public Agency Compliance Officer (P.A.C.O.) will be the point of contact for all matters concerning the implementation and administration of the legal requirements of the Equal Employment Opportunity Monitoring Program; as well as being responsible for administering contracting procedures pertaining to equal employment regarding both the Public Agency and its service providers; and

WHEREAS, the P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and regulations.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Califon, Hunterdon County, New Jersey, hereby designates the Municipal Clerk/Administrator, Karen Mastro, as the official Public Agency Compliance Officer (P.A.C.O.) for the Borough of Califon; and

BE IT FURTHER RESOLVED that the official form designating the Borough of Califon P.A.C.O. will be forwarded to the division of Purchase and Property, Contract Compliance and Audit Unit, EEO Monitoring Program by the deadline of January 12, 2024, as required by law.

Municipal Budget Work Session scheduling was tabled.

COMMITTEE REPORTS

Councilman Medea reported that, at this time, there is no chairperson for the Parks and Recreation Committee. Membership is down, and it may come to a point where there will not be any or some of the events as there is no one to lead. Discussed how to reach more residents concerning the need for volunteers. Suggested that we post more on Facebook and the website and send a flyer to the school to reach the parent population.

Councilman Haversang reported that the Environmental Commission will be meeting next Tuesday.

Councilwoman Smith reported that the Califon Board of Education had their Reorganization meeting last night, January 10th where Christopher Keiser was sworn in as President and Mike Reeves was sworn in as Vice President.

Councilman Janas advised that the Planning Board will have their Reorganization meeting on Wednesday, January 17th.

Councilman Ruggiero advised that he will be meeting with clerk K. Mastro to go over the technological needs of the office for 2024 and discuss any changes needed to the website.

MAYORS REPORT

Mayor Daniel reported that although the efforts that we have made in mitigating the stormwater runoff have helped, the storms are getting stronger, and our measures have not solved the problem. Mayor Daniel advised that he will meet with the Borough engineer and DPW supervisor to review the mitigation tract between Academy and Main Street. We will be coming up with additional measures we can take to help keep the water from running down the hill into town.

With no further business to attend councilwomen, Smith made a motion to adjourn.

All in Favor

Meeting Adjourned at 7:51 pm

Respectfully Submitted,

Karen Mastro, RMC/CMR