

**BOROUGH OF CALIFON COUNCIL
REGULAR MEETING
JANUARY 17, 2017**

Mayor Charles Daniel called the regular meeting to order at 8:00 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 legal notice published in the Hunterdon Review and the Hunterdon County Democrat.”*

FLAG SALUTE

**ROLL CALL: PRESENT: L. JANAS, M. MEDEA, M. RICCIO, G. SMITH,
S. STANABACK
ABSENT: J. RICCIO**

APPROVAL OF MINUTES

Motion was made by M. Riccio seconded by S. Stanaback to approve the minutes from the meeting held on January 3, 2017.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

LIST OF BILLS

Motion was made by L. Janas seconded by M. Medea to approve the list of bills in the amount of \$638,629.55.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

CORRESPONDENCE

___ **Land conservation Rally**; Conference entitled: Healthy Land; Healthy Water; Friday, March 17, 2017

___ Township of Tewksbury DPW; monthly report for month of December, 2016

___ letter from Califon Fire Co.; flooding problem in storage bay and parking lot; request for resolution

___ Raritan Headwaters workshop entitled: Complying with New Jersey Stormwater Regulations to be held on January 26, 2017

___ Califon Court Monthly Report for CY2016

___ Relay for Life; Kickoff dinner on Wednesday, January 25th

OLD BUSINESS

A. RESOLUTIONS – CHANGE ORDER #2 & FINAL PAYMENT – ROCK SOLID, INC. – STORMWATER IMPROVEMENT PROJECT

The following Resolution was introduced for adoption:

RESOLUTION 2017-31

RESOLUTION APPROVING CHANGE ORDER NO. 2
TO CONTRACT WITH ROCK SOLID CONSTRUCTION, INC.

FOR RAILROAD AVENUE/MAIN STREET STORMWATER IMPROVEMENTS

WHEREAS, the Borough of Califon (Borough) entered into a contract (the Contract) with Rock Solid Construction Inc. (Rock Solid) entitled Railroad Avenue/Main Street Stormwater Improvements; and

WHEREAS, certain delays were encountered on the project and Rock Solid has made a claim against the Borough for compensation respecting same (the Claim); and

WHEREAS, the Borough and Rock Solid have reached an amicable resolution of the Claim and other matters pertaining to the Contract; and

WHEREAS, the parties have prepared a change order designated Change Order No. 2, which is attached hereto and incorporated by reference; and

WHEREAS, the Borough Engineer and counsel have recommended that the Claim be resolved by adoption of Change Order No. 2 and the Borough has determined that it is in its interest to resolve this matter; and

WHEREAS, the amount of Change Order No. 2 combined with the previously approved change order to the Contract increases the total contract price by 21.4%; and

WHEREAS, N.J.A.C. 5: 30-11.9 requires certain procedures to be followed when the amount of a publicly bid contract is increased by more than 20%; and

WHEREAS, Rock Solid has executed the proposed Change Order No. 2 under penalty of law, which sets forth the necessity of the change order and the facts and circumstances surrounding same;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Change Order No. 2 to the Contract is hereby approved subject to its approval by the State of New Jersey as stated therein.

2. Pursuant to N.J.A.C. 5: 30-11.9 (c)(6), the Borough Clerk shall cause to be printed once, in the Borough’s official newspaper, a brief notice describing the proposed change order and the necessity therefor.

3. The change order to the Contract shall be reported to the Director of Local Government Services and un the Borough’s annual audit as and when required by N.J.A.C. 5: 30-11.9 (d).

Motion was made by M. Medea seconded by M. Riccio to adopt Resolution 2017-31 as read.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

Motion was made by M. Medea seconded by G. Smith to approve the final payment to Rock Solid Inc.; for the project known as the Stormwater Improvement Project; in the amount of \$27,312.44 as approved within the submitted List of Bills dated 1/17/17.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

B. RESOLUTIONS – LOSAP QUALIFYING LISTS FROM CALIFON FIRE CO. AND CALIFON FIRST AID/RESCUE SQUAD

The following Resolutions were introduced for adoption:

RESOLUTON 2017-32

APPROVAL OF LOSAP LISTS FOR 2016

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 2016- 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 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 Co. for the 30-day required posting.

Motion was made by S. Stanaback seconded by M. Riccio to adopt Resolution 2017-32 as read.
For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

**RESOLUTION 2017-33
APPROVAL OF LOSAP LISTS FOR 2016**

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 2016- was received from the Califon First Aid/Rescue 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 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/Rescue Squad for the 30-day required posting.

Motion was made by S. Stanaback seconded by M. Riccio to adopt Resolution 2017-32 as read.
For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

**C. RESOLUTION – TREE BETWEEN #26 & #28 CLOVERHILL DRIVE –
TAMKE TREE EXPERTS**

The following Resolution was introduced for adoption:

RESOLUTION 2017-34

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that the proposal submitted by Tamke Tree Experts Inc., for the removal of a diseased and decayed silver maple

tree between the properties at #26 & #28 Cloverhill Drive; in the amount of \$1,430.00 is hereby approved; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby duly authorized to officially execute the agreement between the Borough of Califon and Tamke Tree Experts, Inc. for the removal of the aforementioned tree and to schedule its removal as soon as possible.

Motion was made by G. Smith seconded by M. Riccio to adopt Resolution 2017-34 as read.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

NEW BUSINESS

A. RESOLUTION – APPROVAL OF PROFESSIONAL SERVICES AGEEMENT – KELLY KIMIECIK, P.P., KELLER & KIRKPATRICK – 2017 ENGINEERING SERVICES

The following Resolution was introduced for adoption:

RESOLUTION 2017-35

RESOLUTION AUTHORIZING CONTRACT FOR ENGINEERING SERVICES FOR 2017

WHEREAS, the Borough of Califon has a need to acquire engineering services 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, KELLY KIMIECIK, P.E., KELLER & KIRKPATRICK has submitted a proposal indicating that the fee for all engineering services rendered shall be \$145.00 per hour; and

WHEREAS, KELLY KIMIECIK, P.E., KELLER & KIRKPATRICK has completed and submitted a Business Entity Disclosure Certification which certifies that KELLY KIMIECIK, 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 KELLY KIMIECIK, P.E. from making any reportable contributions through the term of the contract; and

WHEREAS, the Borough Chief Financial Officer has certified to the governing body the availability of funds for said contract in a line item entitled Engineering Services; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Califon authorizes the Mayor and Clerk to enter into a contract with KELLY KIMIECIK, P.E. KELLER & KIRKPATRICK as described herein, 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 L. Janas seconded by G. Smith to adopt resolution 2017-35 as read.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

B. RESOLUTION – APPROVAL OF 2017 HVAC SERVICES AGREEMENT WITH STRYKER HEATING AND COOLING

The following Resolution was introduced for adoption:

RESOLUTION 2017-36

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that the 2017 Agreement between the Borough of Califon and Stryker Heating & Cooling for HVAC services is hereby approved and authorized; and

BE IT FURTHER RESOLVED that the 2017 fee for HVAC services provided by Stryker Heating and Cooling shall be in the amount of \$848.00 per year payable at the rate of \$212.00 per inspection; beginning with the effective date of this Agreement: January 1, 2017.

Motion was made by G. Smith seconded by L. Janas to adopt Resolution 2017-36 as read.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

C. RESOLUTION – APPROVAL OF 2017 ANIMAL CONTROL SERVICES AGREEMENT WITH TIM NORTON OF HAPPY TAILS, INC.

The following Resolution was introduced for adoption:

RESOLUTION 2017-37

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that the Agreement between the Borough of Califon and Tim Norton of Happy Tails, Inc. for 2017 Animal Control Services is hereby approved and authorized; and

BE IT FURTHER RESOLVED that the fee for Animal Control Services as provided by Tim Norton of Happy Tails, Inc. shall be in the amount of \$1,800.00 per year for a term of one (1) year; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign and fully execute the Agreement between the Borough of Califon and Tim Norton of Happy Tails, Inc.

Motion was made by M. Medea seconded by S. Stanaback to adopt Resolution 2017-37 as read.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

D. RESOLUTION – 2016 RESERVE BUDGET TRANSFER

The following Resolution was introduced for adoption:

RESOLUTION 2017-38

WHEREAS, it appears that the unexpended balance in the following 2016 accounts will not be sufficient to pay outstanding bills; and

10516599 Engineering – OE

10529099 Roads – OE

WHEREAS, it appears that there will be an unexpended balance in the following 2016 account:

10510099 Administration – SW

10518021 Planning Board – OE

10524099 Police – OE

10531099 Buildings & Grounds – OE

10544699 Gas – OE

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Califon that the following transfers be authorized and within resolution is the authority of the Borough Treasurer to make said transfers:

AMOUNT	FROM	TO
\$700.00	Administration – SW	Engineering – OE
\$800.00	Planning Board – OE	Engineering – OE
\$500.00	Police – OE	Engineering – OE
\$400.00	Buildings & Grounds – OE	Roads – OE
\$400.00	Gas – OE	Roads – OE

Motion was made by M. Riccio seconded by G. Smith to adopt Resolution 2017-38 as read.

For: L. Janas, M. Medea, M. Riccio, G. Smith, S. Stanaback

Opposed: None

Absent: J. Riccio

MOTION CARRIED

COMMITTEE REPORTS

Councilman Medea reported that the Parks Committee met last week to reorganize and conduct their first meeting of the new year. Discussed were anticipated projects for 2017 including some tree work and replacement of the guardrail by the end of March.

Councilwoman Riccio reported that the Board of Education will meet tomorrow and she will be in attendance. Councilwoman Riccio reported for Councilman Joseph Riccio on the Recreation Committee. They met last Tuesday and are actively recruiting new members. The Recreation Committee is planning a spring event around the annual Fishing Derby. Ed Latus will chair the Memorial Day event this year along with Amanda Altavilla.

Councilman Janas reported that the Planning Board will meet next Wednesday to reorganize. There is an Environmental Commission meeting tonight that is in session during the Council meeting so he is unable to attend.

Councilman Stanaback reported that he met with the Police Chief for an informative discussion on ongoing matters. Police Chief Almer was in the audience. Mayor Daniel thanked the Chief and commended the Police Dept. for what he has noticed is a reduction in speeding due to a very consistent police presence in town.

Councilman Stanaback read the Municipal Court report for CY2016.

The recycling desk audit report for 2014 was received indicating that 1763 tons of material was recycled in 2014.

The Board of Health met and reorganized. There are two open positions available for membership and they are looking for volunteers.

Councilman Smith read the DPW report; which outlined work that is being done in town.

MAYOR'S REPORT

Mayor Daniel reported that he participated as a judge in the Califon School Spelling Bee, along with Cyndy Behrens and Lavinia Trimmer. Mayor Daniel reported that it was very successful event and the winner of the event was Matthew Bell, a 5th grader at Califon School, who won by correctly spelling the word "semaphore".

COMMENTS FROM THE PUBLIC

There being no comments from the public, this portion of the meeting was closed.

There being no further business to come before Council at this time, motion was made by S. Stanaback seconded by M. Medea and unanimously accepted to adjourn the meeting at 8:31 p.m.

Respectfully submitted:

Laura G. Eidsvaag, RMC
Municipal Clerk/Administrator