

**BOROUGH OF CALIFON COUNCIL
REGULAR MEETING
FEBRUARY 6, 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, J. RICCIO, M. RICCIO,
S. STANABACK
ABSENT: G. SMITH**

APPROVAL OF MINUTES

Motion was made by S. Stanaback seconded by M. Riccio to approve the minutes from the meeting held on January 17, 2017.

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

Opposed: None

Abstain: J. Riccio

Absent: G. Smith

MOTION CARRIED

LIST OF BILLS

Motion was made by M. Riccio seconded by L. Janas to approve the list of bills in the amount of \$145,199.95.

For: L. Janas, M. Medea, J. Riccio, M. Riccio, S. Stanaback

Opposed: None

Absent: G. Smith

MOTION CARRIED

CORRESPONDENCE

__ e-mail from Jess Landon, Administrator of Tewksbury Twp., Charles Rogers, Construction Code Official, has resigned effective at the end of February. Ralph to take over on March 1; new TA starting on the 13th

__ Califon Planning Board/Bd. Of Adjustment; 2016 Annual Report

__ Hunterdon County Solid Waste & Recycling Services; Hazardous Waste Collection on Saturday, March 11th

__ New Jersey Conservation Foundation Rally; one day 21st annual conference to take place on Friday, March 17th

__ Park Use Application for Gran Fondo NJ to be held on September 10th from 7:00 to 5:00 pm.

__ information from Councilman Stanaback regarding maintenance of trees in municipal right-of-way's – to be addressed by a meeting of the Buildings & Grounds Committee to be scheduled

PRESENTATION/DISCUSSION – KATHRYN WINDSOR FROM TILSON TECH ON BEHALF OF VERIZON WIRELESS – INSTALLATION OF SMALL NETWORK NODES ON POLES IN RIGHT OF WAY

Kathryn Windsor, representative from Tilson Tech, addressed the Mayor and Council to discuss Verizon Wireless's plans to install small network nodes on poles in the Borough right-of-way. Ms. Windsor explained that due to an apparent "strain" on the Verizon wireless network called "sector exhaust", Verizon Wireless is planning on installing small network nodes on poles that are in the Borough right-of-way; more specifically, on poles located in three locations on County Rt.512/Academy St. She further explained that these nodes are "low powered" boosters designed to enhance Verizon wireless service to residents of the area. A brief discussion ensued with a few questions from Council primarily centered around the recent rescinding of a general consent resolution by the Lebanon Township governing body. Ms. Windsor she is here tonight to ask Council to adopt a resolution of "general consent to operate in the Borough right of way". Mayor and Council agreed to consider adoption of this resolution following the Borough attorney's review of documentation provided concerning the small network nodes.

Mayor Daniel addressed Police Chief Jeff Almer's presence in the audience. Councilman Stanaback thanked the Police Chief as he read the statistics on the Police report for the month of January; 600 calls and 59 traffic stops. Chief Almer reported that 3 radar units will soon be available to be erected in town for speeding control. Chief Almer reported that one of their patrolmen has been nominated for a prize and both the Mayor and Councilman/Police Commissioner Stanaback will be notified if he wins.

OLD BUSINESS

A. RESOLUTION – PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE 2017-01 COLA/INDEX

The Clerk read Ordinance 2017-01 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)**

The Mayor opened the public hearing on Ordinance 2017-01. There being no comments from the public, this public hearing was closed.

The following Resolution was introduced for adoption:

RESOLUTION 2017-39

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that Ordinance 2017-01 entitled: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

is hereby adopted upon final reading; and
 BE IT FURTHER RESOLVED that “Notice of Final Adoption” will be published in the February 15th edition of the Hunterdon Review as required by law.

Motion was made by L. Janas seconded by M. Medea to adopt Resolution 2017-39 as read.

For: L. Janas, M. Medea, J. Riccio, M. Riccio, S. Stanaback

Opposed: None

Absent: G. Smith

MOTION CARRIED

**B. RESOLUTION – AMENDMENT TO AGREEMENT WITH COUNTY –
 COUNTY PLEDGE OF UP TO \$200,000 FOR DESIGN OF ISLAND PARK
 BRIDGE REPLACEMENT – CALIFON TO ASSUME OWNERSHIP AND
 RESPONSIBILITY FOLLOWING BRIDGE REPLACEMENT**

The following Resolution was introduced for adoption:

RESOLUTION 2017-40

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that the original Agreement between the County of Hunterdon and Califon Borough stating that the County of Hunterdon will compensate the Borough of Califon up to the amount of \$300,000 for the **design and construction of Island Park Bridge replacement** is hereby amended to state that the County of Hunterdon will compensate the Borough of Califon up to the amount of **\$200,000** for the **design of Island Park Bridge replacement**; and

BE IT FURTHER RESOLVED that the Borough of Califon will, as stated in the original Agreement, assume ownership and responsibility for the maintenance and jurisdictional control of the Island Park bridge from the County of Hunterdon upon completion of construction of the Island Park Bridge replacement; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign and fully execute this amended Agreement between the County of Hunterdon and Califon Borough.

Motion was made by M. Medea seconded by M. Riccio to adopt Resolution 2017-40 as read.

For: L. Janas, M. Medea, J. Riccio, M. Riccio, S. Stanaback

Opposed: None

Absent: G. Smith

MOTION CARRIED

The Mayor and Council began a discussion concerning Hunterdon County’s proposal to sell 9 acres of additional parkland to the Borough of Califon. Mayor and Council reviewed a map delineating the 9-acre parcel; noting that there are three liabilities that have to be considered: the old dam; foundation of the old mill and the concrete remains of the old dam. Mayor Daniel stated that the Borough Engineer was on site and determined that the old dam is still a very viable structure; which precipitated a discussion with Bill Kibler, Director of the Raritan Headwaters. Mr. Kibler would like to see RH acquire funding to dismantle the dam; however,

the funding for this project would be predicated on the Borough turning over the dam to Raritan Headwaters or Califon entering into a management agreement with RH. Mayor Daniel would like to see the old mill foundation filled in with dirt, grass planted; the machinery removed and the gears put back on top to make it a “historical” structure. Mayor and Council all agreed that, before Council will consider the acquisition of this additional parkland, they would have to have reassurances that the County will remove the “remains of the dam concrete”. All were in favor of moving forward with this acquisition.

One more point addressed by Councilman Medea and discussed briefly by Mayor and Council was whether or not the replacement of Island Park Bridge has to be in the same spot or would it be possible to construct it in another spot.

C. RESOLUTION – SUPPORT FOR REPLACEMENT OF ISLAND PARK BRIDGE NEEDED FOR NJDOT GRANT APPLICATION FOR DISCRETIONARY FUNDS FOR CONSTRUCTION COSTS

The following Resolution was introduced for adoption:

RESOLUTION 2017-41

WHEREAS, it is our understanding that the Borough of Califon proposes to replace Island Park Bridge and the approaches in the immediate vicinity at Bank Street, and

WHEREAS, required replacement of the bridge is the result of an in-depth inspection that revealed the overall condition of the bridge was rated poor due to the severity of superstructure elements, and the lack of capability for safely supporting current traffic loads; and

WHEREAS, Island Park Bridge, in the Borough of Califon, provides the only vehicular access from Bank Street to Califon’s Island Park. Many vehicles traverse this particular bridge; including cars, fire trucks, garbage trucks, trucks carrying portable sanitary facilities, trucks carrying ball field materials and mulch, truck carrying carnival facilities, etc.; and

WHEREAS, this project serves the entire community of Califon and all visitors to Califon that patron the park; and

WHEREAS, Califon Island Park is the only town park and gathering space, thus rendering Island Park as the hub for all community events, the park features a large playground, several athletic fields, and a skating pond; and

WHEREAS, the Borough intends to utilize the park as the location for the Borough’s Centennial Celebration; and

WHEREAS, this Bridge Replacement Project will provide a much-needed safety improvement and will ensure the vitality of Island Park which serves as the livelihood of the Borough of Califon; and

WHEREAS, the proposed bridge replacement will adhere to the AASHTO Bridge Design Specifications, Hunterdon County Standards, NJDEP Requirements and all other essential agencies; and

WHEREAS, without the bridge replacement the Borough of Califon will have no choice but to close the bridge and thus the park as the current condition of the bridge presents a grave danger to the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Califon, County of Hunterdon, State of New Jersey hereby fully supports the Borough’s efforts in seeking New Jersey Department of Transportation Funding and will collaborate to support the goals of the project, namely, to ensure the bridge is designed and constructed to AASHTO and Hunterdon County Standards, and to safeguard the project from the very early stages on through completion of the construction.

Motion was made by M. Medea seconded by L. Janas to adopt Resolution 2017-41 as read.

For: L. Janas, M. Medea, J. Riccio, M. Riccio, S. Stanaback

Opposed: None

Absent: G. Smith

MOTION CARRIED

D. 2017 COUNCILMEMBER SCHEDULE FOR LEAD ARTICLES IN CALIFON CRIER

Mayor and Council agreed upon the following schedule for 2017:

January-February –	Mayor Charles Daniel
March- April	Councilman Michael Medea
May-June	Councilman Gill Smith
July-August	Councilwoman Megan Riccio/Councilman Joseph Riccio
September-October	Councilman Leo Janas
November December	Councilman Steven Stanaback

NEW BUSINESS

A. RESOLUTION – APPROVAL OF 2017 PROFESSIONAL SERVICES CONTRACT FOR PLANNING BOARD/BOARD OF ADJUSTMENT ATTORNEY, WILLIAM GIANOS, ESQ.

The following Resolution was introduced for adoption:

RESOLUTION 2017-42

RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES FOR PLANNING BOARD/BOARD OF ADJUSTMENT FOR 2017

WHEREAS, the Borough of Califon has a need to acquire legal services for Planning Board/Bd. 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, WILLIAM GIANOS, ESQ. OF THE FIRM OF GIANOS & PHILLIPS, LLC. has submitted a proposal indicating that the fee for all legal services rendered shall be \$165.00 per hour; and

WHEREAS, WILLIAM GIANOS, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that WILLIAM GIANOS, 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 WILLIAM GIANOS, ESQ. 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 Legal Services; Planning Board/Board of Adjustment; 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 WILLIAM GIANOS, ESQ. 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 S. Stanaback to adopt Resolution 2017-42 as read.
For: L. Janas, M. Medea, J. Riccio, M. Riccio, S. Stanaback

Opposed: None

Absent: G. Smith

MOTION CARRIED

B. MAYORAL APPOINTMENT – FAITH FRANKEL AS A MEMBER ON THE ENVIRONMENTAL COMMISSION

Mayor Daniel formally appointed Faith Frankel, resident of School St. Extension, as a member on the Environmental Commission for a three (3) year term expiring on 12/31/19.

EXECUTIVE SESSION

The following Resolution was introduced for adoption:

RESOLUTION 2017-43

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE
PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW
JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

WHEREAS, the Borough Council of the Borough of Califon is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Borough Council of the Borough of Califon to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

Matters Relating to Negotiations: Any pending or anticipated contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Califon, assembled in public session on February 6, 2017 that an Executive Session closed to the public shall be held on February 6, 2017, at 8:58 P.M. in the Califon Municipal Building, 39 Academy St., Califon, N.J. 07830, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Motion was made by M. Riccio seconded by L. Janas to adopt Resolution 2017-43 as read.

For: L. Janas, M. Medea, J. Riccio, M. Riccio, S. Stanaback

Opposed: None

Absent: G. Smith

MOTION CARRIED

Motion was made by S. Stanaback seconded by M. Medea to resume the regular meeting at 9:16 p.m.

For: L. Janas, M. Medea, J. Riccio, M. Riccio, S. Stanaback

Opposed: None

Absent: G. Smith

MOTION CARRIED

COMMITTEE REPORTS

Councilman Medea reported that the Parks Committee will meet this Thursday for their regularly scheduled monthly meeting.

Councilwoman Riccio reported that at the last Board of Education meeting it was reported that Gloria Winter, former teacher at Califon School, has bestowed 4 “Winter/Fall” Grant Awards to 4 teachers, one of them being Mary Jane Medea.

The “Historic House Tour” conducted in December sponsored by the Califon School and the Historical Society raised \$1500 for the 8th grade annual trip. Thanks, go to Karen Grieco, parent of an 8th grader, who coordinated and chaired this event.

The Board of Education is participating in discussions regarding County-wide shared services; such as busing; custodial, etc.

The Board of Education is working on the 2017-18 School budget.

There will be another BOE meeting this week.

Councilman Janas reported that the Planning Board met and reorganized on January 25th. Discussions centered around phases 3 & 4 of the Historic District study conducted by Dennis Bertland & Associates and changes to the Highway Business Zone. The HPC is considering inclusion of all public views of residences as part of the “design standards” that the HPC has been working on with Mr. Bertland. The current requirement includes only the front façade of any structure.

Councilman Janas reported that the Environmental Commission met on January 17th. ANJEC agreed to reduce the rate for Califon’s annual membership. The EC is working with Raritan Headwaters to participate in their well testing program. Members Karen Mastro and MaryLou Loyd are partnering to inspect ash trees in the Borough for evidence of the destructive Ash Borer.

The Stream Clean-up sponsored by Raritan Headwaters is scheduled for April 22nd.

The recent Paper Shredding event sponsored by the EC was very well attended this time and very successful.

Councilman Stanaback reported that there was no Board of Health meeting this month.

Councilman Stanaback reported that he attended the Statewide Insurance Fund (SIF) reorganization meeting last week. There were two speakers who spoke on pain management and case law in municipalities.

Councilman Stanaback will speak to Richard Baggstrom regarding a meeting of the Buildings & Grounds Committee to discuss development of an ordinance regulating tree maintenance in the Borough right of way.

Councilman J. Riccio reported that the Recreation Committee will meet tomorrow evening.

MAYOR’S REPORT

The Mayor had no further report for tonight’s meeting.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

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 9:31 p.m.

Respectfully submitted:

Laura G. Eidsvaag, RMC
Municipal Clerk/Administrator