

**BOROUGH OF CALIFON COUNCIL
REGULAR MEETING
MAY 4, 2015**

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 annual notice in the Hunterdon Review and the Hunterdon County Democrat.”*

FLAG SALUTE

**ROLL CALL: PRESENT: K. DEBLASIO, P. FARMER (arrived 8:20 pm),
M. MEDEA, M. RICCIO
ABSENT: T. FORRESTER, G. SMITH**

APPROVAL OF MINUTES

Motion was made by M. Riccio seconded by M. Medea to approve the minutes from the meeting held on April 20, 2015.

For: K. DeBlasio, M. Medea, M. Riccio

Opposed: None

Absent: P. Farmer, T. Forrester, G. Smith

MOTION CARRIED

LIST OF BILLS

Motion was made by M. Medea seconded by M. Riccio to approve the list of bills in the amount of \$631,033.78.

For: K. DeBlasio, M. Medea, M. Riccio

Opposed: None

Absent: P. Farmer, T. Forrester, G. Smith

MOTION CARRIED

CORRESPONDENCE

___ Hunterdon County Chamber of Commerce; 2nd Annual Hunterdon County Community Day; June 13 at South County Park in Ringoes from 12:30 pm to 6:30 pm

___ Luncheon at Califon United Methodist Church, Saturday, may 9th 12:30 pm to 2:30 pm;
Farewell to Pastor James Elliot

___ Tewksbury Twp. DPW monthly reports for months of January, February and March, 2015

___ letter to Mayor Daniel from John Mello, Chief, USEPA; authorization to award contract for stormwater project to Rock Solid Construction, Inc. for second lowest bid of \$1,168,831.00

___ letter to Laura Eidsvaag, Municipal Clerk from NJEIT; Authorization to award contract for stormwater project to Rock Solid Construction, Inc. for second lowest bid of \$1,168,831.00

__ Quotation from Kevin A. Baumann for removal of five (5) trees and trimming of two (2) trees at Park; underbrush from base of trees to be removed

OLD BUSINESS

A. RESOLUTION – ADOPTION OF ORDINANCE 2015-04 AMENDING HIGHLANDS EXEMPTION ORDINANCE REGARDING FEES FOLLOWING PUBLIC HEARING

The Clerk read Ordinance 2015-04 by title: **AN ORDINANCE AMENDING THE HIGHLANDS AREA EXEMPTION ORDINANCE, PREVIOUSLY ADOPTED AS ORDINANCE 2014-05 TO SUPPLEMENT AND AMEND THE LAND DEVELOPMENT ORDINANCE OF THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, and ELIMINATING THE REQUIREMENT FOR PAYMENT OF AN APPLICATION FEE IN CONNECTION WITH AN APPLICATION FOR EXEMPTION #5.**

Mayor Daniel opened the public hearing on Ordinance 2015-04.

There being no comments from the public, the public hearing was closed.

Clerk Eidsvaag advised Council that an error occurs in the first sentence of the first paragraph of the ordinance which states: “Whereas, the Zoning Officer for the Borough of Califon has determined that only two (2) new homes have been constructed in the Borough of Califon since August 10, 2004...”. The sentence should be corrected to read that only five (5) new homes have been constructed in the Borough of Califon since August 20, 2004. Peter Jost, Borough Attorney was consulted, informing him that the legal “Notice of Ordinance” was published with this error in the April 15, 2015 edition of the Hunterdon Review. Mr. Jost advised that before taking action on adoption of this ordinance, Council should motion to change the incorrect two (2) new homes to the correct five (5) new homes.

Motion was made by P. Farmer seconded by M. Medea to make the following alteration to the first sentence of the first paragraph of Ordinance 2015-04: eliminate “**two (2) new homes**” and change the first sentence to read “**Whereas, the Zoning Officer for the Borough of Califon has determined that only five (5) new homes have been constructed in the Borough of Califon since August 10, 2004, the date of the adoption of the Highlands Water Protection and Planning Act (N.J.S.A. 13:20-1, et seq.) by the New Jersey Legislature**”.

For: K. Deblasio, P. Farmer, M. Medea, M. Riccio

Opposed: None

Absent: T. Forrester, G. Smith

MOTION CARRIED

The following Resolution was introduced for adoption:

RESOLUTION 2015-52

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that Ordinance 2015-04 entitled: **AN ORDINANCE AMENDING THE HIGHLANDS AREA EXEMPTION ORDINANCE, PREVIOUSLY ADOPTED AS ORDINANCE 2014-05 TO SUPPLEMENT AND AMEND THE LAND DEVELOPMENT ORDINANCE OF THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, ELIMINATING THE REQUIREMENT FOR PAYMENT OF AN APPLICATION FEE IN CONNECTION WITH AN APPLICATION FOR EXEMPTION #5** is hereby adopted upon final reading; and **BE IT FURTHER RESOLVED** that “Notice of Final Adoption” of Ordinance 2015-04 will be published in the May 13, 2015 edition of the Hunterdon Review as required by law.

Motion was made by P. Farmer seconded by M. Medea to adopt Resolution 2015-52 as read.

For: K. DeBlasio, P. Farmer, M. Medea, M. Riccio

Opposed: None

Absent: T. Forrester, G. Smith

MOTION CARRIED

B. RESOLUTION – AWARD OF CONTRACT FOR STORMWATER PROJECT TO ROCK SOLID CONTRACTING, INC.

The following Resolution was introduced for adoption:

RESOLUTION 2015-53

BE IT RESOLVED by the Mayor and Council of the Borough of Califon that the Contract for the project known as No. 15-01 RAILROAD AVENUE/MAIN STREET STORMWATER IMPROVEMENTS PROJECT is hereby awarded to Rock Solid Construction, Inc., 83 Clifford Street, Newark, N.J. 07105, in the amount of \$1,168,831 in accordance with the Authorization to Award letter from NJEIT/NJDEP dated April 23, 2015 and Authorization to Award letter from EPA dated April 27, 2015; and

BE IT FURTHER RESOLVED that, at the bid opening on March 31, 2015 at 2:00 pm, the bid submitted by Rock Solid Construction, Inc. in the amount of \$1,168,831 was the second lowest bidder among four (4) bids submitted; the lowest bidder, Reivax Contracting Corporation, Inc., in the amount of \$1,091,014, was deemed non-responsive and was rejected, due to the absence of certain required documents at the bid opening; and

BE IT FURTHER RESOLVED that Donald Scott, P.E., of the firm of Keller & Kirkpatrick, is hereby authorized to sign and fully execute the Contract document with Rock Solid Construction, Inc., with the agreement by Rock Solid Construction, Inc. that they post a Performance Bond in the sum of 100% of the Contract amount and a Payment Bond, also in the sum of 100% of the Contract amount, required within the stipulated time period.

Motion was made by P. Farmer seconded by M. Riccio to adopt Resolution 2015-53 as read.

For: K. DeBlasio, P. Farmer, M. Medea, M. Riccio

Opposed: None

Absent: T. Forrester, G. Smith

MOTION CARRIED

C. DISCUSSION – BRIDGE REPAIR AT ISLAND PARK

Councilman Medea reported that an assessment of the structurally compromised bridge at the entrance to Island Park should be scheduled as soon as possible. Councilman Medea confirmed with Donald Scott, Borough Engineer, that the estimate for this assessment, prepared by Mr. Scott months ago, in the amount of \$2,290, was still valid. Councilman Medea feels this is a legitimate expense that can be taken from the Open Space funds. Councilman Medea will confirm with the Borough Attorney, Peter Jost that the cost for this project, \$2,290.00 can be paid out of Open Space funding. Once confirmed, the Borough Engineer will be asked to schedule the fieldwork and assessment as a necessary first step in the repair of the bridge.

D. DISCUSSION – JOINT MEETING WITH THE PLANNING BOARD AT THEIR MAY 27, 2015 MEETING REGARDING RECENT COAH RULINGS

Mayor Daniel explained that he has spoken to the Borough Attorney, Peter Jost, regarding the recent Supreme Court decision to take back the responsibility from COAH for administering affordable housing compliance among the state's municipalities. The decision becomes effective on June 8th, at which time Califon must decide whether or not to file a request for Declaratory Judgement in Superior Court, on or before July 8th. To date, Califon's third round obligation is for 86 units; declaratory judgement will establish a final number. Because a decision on this must be made soon, Peter Jost recommended that Council have a joint meeting with the Planning Board/Board of Adjustment on Wednesday, May 27th; to be attended by Mr. Jost, John Drill, Esq., a COAH Consultant, and Elizabeth McKenzie, Borough Planner. Mayor Daniel stated that this meeting has been confirmed with all parties and will be duly advertised. Because of his background with COAH matters, Mayor Daniel has asked Richard Baggstrom, Planning Board member, to take the lead on this and he has agreed. Mayor Daniel led a brief discussion on the history of COAH matters in Califon, including a discussion on the "builders remedy". Mayor Daniel explained to Council that he cannot be in attendance at this joint meeting however; he did urge all Council members to attend this important meeting.

NEW BUSINESS

A. MAYORAL PROCLAMATION – RELAY FOR LIFE DAYS OF HUNTERDON COUNTY – JUNE 13 & 14

Mayor Daniel read the following Proclamation:

PROCLAMATION 1-2015

WHEREAS, Relay for Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease and empowers individuals and communities to fight back against cancer; and

WHEREAS, money raised during Relay for Life of Hunterdon County supports the American Cancer Society's mission of saving lives by helping people stay well, and get well, by finding cures and by fighting back; and

WHEREAS, Relay for Life events helped fund more than \$177.5 million in cancer research last year;

NOW, THEREFORE, BE IT RESOLVED that I, Charles Daniel, Mayor of the Borough of Califon, do hereby proclaim June 13th and 14th of 2015 as,

**“RELAY FOR LIFE OF HUNTERDON COUNTY
DAYS”**

in our community and encourage citizens to help finish the fight against cancer by participating in the Relay for Life event at Hunterdon Central Regional High School on June 13th and 14th of 2015.

Copies of the Proclamation for “Relay for Life” will be posted on the website and social media sites and posted throughout town.

COMMITTEE REPORTS

Councilman Medea reported that the Tewksbury DPW is helping put up the new pieces of guardrail and the ballard in the Park.

Mulch will be delivered the Thursday-Friday before Memorial Day.

Councilman Medea will ask the Police Chief for his opinion on whether or not the lights should be on or off after dusk when technically the park is closed.

Councilman Farmer suggested that the lights be installed with a motion sensor.

Clerk Eidsvaag reported that the Div. of Fish and Wildlife has requested a key for the back gate to let them in through the gate to stock the trout in the river on Tuesdays. They have requested permission to keep the key and store it at the Pequest Hatchery. Following a short discussion, Council members concurred that the Div. of Fish and Wildlife are welcome to have the key for the gate for the trout stocking season but would prefer that they return the key to the municipality at the conclusion of both the spring and summer trout stocking seasons. Councilman Medea stated that Washington Township Police and the Tewksbury Township DPW should be the only two entities that should have and keep a key for the gate.

Councilwoman Riccio reported that there is a meeting next week to finalize plans for the Memorial Day Parade & celebration. Mayor Daniel reported that Arthur Owens has agreed to be the keynote speaker. Mayor Daniel reported that the banner will be hung this weekend.

Councilmen Medea and Smith have offered to help as well as Clark DeBlasio.

Councilwoman Riccio read the Police report for the month of April.

Councilman Farmer reported that the Environmental Commission has not met and he did not attend the last Planning Board meeting.

Mayor Daniel reported to Councilman Farmer that the Borough Engineer has sent an e-mail indicating that the Highlands Council now seems to be open to discussing alternate wastewater treatment ideas.

Councilwoman DeBlasio had no report for tonight’s meeting.

MAYOR’S REPORT

Mayor Daniel received an e-mail from Chief of Police Bailey reporting on last summer’s vandalism episodes:

Of the two juveniles involved, one entered the LEAP program and completed it; one entered the LEAP program, but violated the terms and is due back in court May 13th.

The adult charged in the car seat fire episode was downgraded to a loitering charge with the approval of the victim.

COMMENTS FROM THE PUBLIC

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

Councilman Medea did mention that he would be interested pursuing grants for Main Street Improvements such as sidewalks, street lights, clock, etc., and hoped Council would be interested as well. Councilman Farmer recommended working on a “master plan” for town improvements; a wish list of things to see done in town that are worth pursuing.

There being no further business to come before Council at this time, motion was made by P. Farmer seconded by M. Riccio and unanimously accepted to adjourn the meeting at 9:34 p.m.

Respectfully submitted:

Laura G. Eidsvaag, RMC
Municipal Clerk/Administrator