

**BOROUGH OF CALIFON COUNCIL  
REGULAR MEETING MINUTES OF JANUARY 16, 2025**

**CALL TO ORDER**

Mayor Daniel called the meeting to order at 7:06 pm: *“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 in the Hunterdon Review and the Hunterdon County Democrat. In addition, a copy of this notice was posted on the bulletin board in the municipal building and is on file in the Clerk/Administrator’s office”.*

**ROLL CALL**

Council Member	Present	Absent
Baggstrom	x	
Haversang		x
Janas	x	
Ruggiero	x	
Smith		x
Medea	x	

Others present: Mayor Daniel, Clerk/Administrator Haughey, Chief Almer

**SWEARING-IN**

Clerk Haughey stated that Councilman Leo Janas was sworn in by the Municipal Clerk on January 15, 2025, for a 3-year term from 1/15/25 through 12/31/27.

**PUBLIC COMMENT**

John Collins, resident, thanked the Borough for the prompt response provided when mailboxes were knocked down on his street during the patching of the road. He stated that the updates and announcements regarding the Aqua water main project, and subsequent paving have been helpful. Looking forward to the repaving in the spring, he hopes that the contractor will be more responsible so as not to leave a large trailer unattended in the street. Mr. Collins also stated that he is in favor of allowing Airbnbs in the Borough, provided that ordinances regarding noise and partying can be enacted that would be “above and beyond” the current noise ordinance. His final comment was regarding the removal of the dam and stated that he does not want the Borough to expand the reach of the historic preservation authorities, or expend Borough resources.

**APPROVAL OF MINUTES**

December 5, 2024 Regular Meeting Minutes, December 5, 2024 Executive Session Minutes, December 19, 2024 Regular Meeting Minutes, and January 2, 2025 Reorganization and Regular Meetings were approved by the following Roll call vote:

Council Member	Motion	Second	For	Against	Abstain	Absent
Baggstrom	x		x			
Haversang						x
Janas			x		(1/2/25)	
Ruggiero		x	x			
Smith						x
Medea			x			

**CORRESPONDENCE**

- Bruce Morrow sent a Certificate of Appreciation for support of the Toys for Tots Program. He shared that 974 toys were provided.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

**A. RESOLUTION R-32-25**

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF CALIFON AND THE TOWNSHIP OF TEWKSBURY FOR THE PROVISION OF PUBLIC WORKS SERVICES BY THE TOWNSHIP OF TEWKSBURY TO THE BOROUGH OF CALIFON, PURSUANT TO THE INTERLOCAL SERVICES ACT**

**WHEREAS**, the Borough of Califon, County of Hunterdon, State of New Jersey is desirous of achieving economies by having the Township of Tewksbury in the County of Hunterdon, State of New Jersey, provide public works services to the Borough of Califon; and

**WHEREAS**, the Township of Tewksbury is willing to provide such public works services on the same basis as public works services are provided in the Township of Tewksbury if it is compensated for the cost of such services and

**WHEREAS**, the Borough of Califon and the Township of Tewksbury have arrived at an understanding regarding the provision of public works services by the Township of Tewksbury to the Borough of Califon for a period of one year and this understanding has been embodied in a Shared Service Agreement; and

**WHEREAS**, the providing of public works services by the Township of Tewksbury to the Borough of Califon is authorized by the Interlocal Services Act (NJSA40:8A-1 et seq.) and the Shared Service Agreement may be entered into between the Township of Tewksbury and the Borough of Califon if the same is authorized by Resolution of the Township of Tewksbury and by Resolution of the Borough of Califon.

**BE IT ORDAINED** by the Council of the Borough of Califon, County of Hunterdon, State of New Jersey, as follows:

**Section 1.** Upon authorizing entering into the Shared Service Agreement by proper Resolution of the Borough of Califon pursuant to the Interlocal Services Act, the Mayor and Municipal Clerk or Administrator of Tewksbury Township are authorized to sign and fully execute and deliver the Shared Service Agreement to the Borough of Califon. Such agreement shall take effect for a one-year period from January 1, 2025, to December 31, 2025 between the Borough of Califon and the Township of Tewksbury.

**Section 2.** The Municipal Clerk of the Borough of Califon is hereby directed to maintain on file, in the office of the Municipal Clerk, a copy of the Shared Service Agreement upon adoption of the enabling Resolution. The same shall be available for public inspection at the office of the Clerk during regular business hours, from 9:00 a.m. to 4:00 p.m., Monday through Thursday.

**Section 3.** A copy of this Agreement shall be filed, for informational purposes, with the Department of Community Affairs, Division of Local Government Services, pursuant to rules and regulations promulgated by the Division.

**Resolution was approved by the following roll call vote:**

Council Member	Motion	Second	For	Against	Abstain	Absent
Baggstrom			x			
Haversang						x
Janas		x	x			
Ruggiero	x		x			
Smith						x
Medea			x			

**B. RESOLUTION R-33-25**

**ADOPTING THE BOROUGH'S AFFORDABLE HOUSING PRESENT AND PROSPECTIVE NEED OBLIGATION FOR THE PERIOD OF JULY 1, 2025 THRU JULY 1, 2035 IN ACCORDANCE WITH P.L. 2024 C.2, AND RESERVING ALL RIGHTS.**

WHEREAS, on March 20, 2024, Governor Murphy signed into law, P.L. 2024, c.2, which among other things, amended various provisions of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"), abolished the Council on Affordable Housing ("COAH") and established the Affordable Housing Dispute Resolution Program ("Program"); and

WHEREAS, P.L. 2024, c.2, sets forth that Fourth Round period of affordable housing obligations shall run from July 1, 2025 through June 30, 2035 ("Fourth Round"); and

WHEREAS, pursuant to P.L. 2024, c.2, the Borough is located in Region 3, which is comprised of Hunterdon, Middlesex and Somerset counties; and

WHEREAS, the amendments to the FHA require the Department of Community Affairs ("DCA") to prepare and publish a report on the calculations of the regional need and each municipality's non-binding present and prospective need affordable housing obligations for the Fourth Round within seven months of March 20, 2024; and

WHEREAS, on October 18, 2024 the DCA published its report that includes its estimate of the obligations for all municipalities based on the calculations with respect to Statewide regional need and municipal present and prospective need affordable housing obligations for the Fourth Round (the "DCA Report"); and

WHEREAS, pursuant to P.L. 2024, c.2, the DCA has calculated the total statewide prospective need obligation to be 84,698 units, which equates to a statewide new construction obligation of over 8,400 affordable units per year; and

WHEREAS, the DCA Report calculates the Borough's non-binding Fourth Round obligations as follows: 1) a Present Need or Rehabilitation obligation of 0; and 2) a Prospective Need or New Construction Obligation of 23; and

WHEREAS, the calculations in the DCA Report are not binding on municipalities, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of the Fourth Round affordable housing obligations; and

WHEREAS, rather, pursuant to N.J.S.A. 52:27D-304.1 of the FHA, each municipality is required to determine its respective Fourth Round present and prospective need fair share obligations, and adopt a binding resolution describing the basis for the municipality's determination on or before January 31, 2025; and

WHEREAS, P.L. 2024, c.2, each municipality shall determine its Fourth Round present and prospective need fair share obligations, with consideration of the calculations in the DCA Report, and in accordance with the formulas established in N.J.S.A. 52:27D-304.2 and -304.3 of the FHA using "necessary datasets that are updated to the greatest extent practicable"; and

WHEREAS, the Borough and its professionals have reviewed the DCA Report along with the underlying data and data sets relied upon by the DCA in reaching its non-binding calculations for the Borough against the most up-to-date land use approvals, site specific information, construction permits, and MOD-IV data maintained and on file with the Borough with regard to the land capacity and equalized non-residential valuation factor; and

WHEREAS, the Borough accepts the estimate set forth in the DCA Report with respect to Present Need of 0; and

WHEREAS, the Borough accepts the estimate set forth in the DCA Report with respect to the Prospective Need of 23 as being calculated by and provided for in P.L. 2024, c.2; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1f(1)(b) provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of P.L. 2024, c.2 ... [;]” and

WHEREAS, the Borough’s acceptance of its Present Need and Prospective Need obligations are entitled to a “presumption of validity” because they comply with Sections 6 and 7 of P.L. 2024, c.2; and

WHEREAS, the Borough, however, specifically reserves the right to adjust its prospective need obligation, including for either or both of: 1) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 2) a Durational Adjustment (whether predicated upon lack of sewer or lack of water); and

WHEREAS, in addition to the foregoing, the Borough specifically reserves all rights to revoke this resolution and commitment in the event of: 1) a successful challenge to P.L. 2024, c.2 as a result of the pending litigation entitled: Borough of Montvale et al, v. State of New Jersey, et al., Docket No.: MER-L-1778-24; (2) any other such action challenging P.L. 2024, c.2; or (3) any subsequent legislative or regulatory enactment which alters or changes the deadlines, calculations, methodology and/or requirements of P.L. 2024, c.2; and

WHEREAS, the Borough further specifically reserves the right to take a position that its Fourth Round Prospective Need Obligation is lower than described herein if a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

WHEREAS, in addition to the foregoing, nothing in P.L. 2024, c. 2 requires or can require an increase in the Borough’s Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of P.L. 2024, c.2, is to establish, for example, unchallenged numbers by default as of March 1, 2025; and

WHEREAS, in light of the above, the Borough Council of the Borough of Califon finds that it is in the best interest of the Borough to declare its obligations in accordance P.L. 2024, c.2 in accordance with this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Califon, in the County of Hunterdon, and State of New Jersey as follows:

1. All of the Recitals set forth above are hereby incorporated by reference.
2. The Borough Council hereby commits to a Fourth Round Present Need Obligation of 0 and the Fourth Round Prospective Need Obligation of 23, as described in this resolution subject to all reservations of rights, which specifically include:
  - a) The right to adjust the prospective need obligation based on lack of available vacant and developable land, sewer, and/or water, or any combination thereof;
  - b) All rights to revoke this resolution in the event of a successful legal challenge, or legislative or regulatory change to P.L. 2024, c. 2;
  - c) All rights to take a position that Borough’s Fourth Round Prospective Need Obligations are lower than described herein if a third party challenges the calculations provided for in this Resolution; and
  - d) All rights to take a position that the Borough’s Fourth Round Prospective Need Obligations are lower than described herein if a third-party claims the Borough’s Fourth Round Prospective Need Obligations require an increase based on a reallocation or modification of the Regional Present or Prospective Need Obligations allegedly due from successful reduction of the allocated present and prospective need obligations assigned to another municipality in the Region.
3. In accordance with N.J.S.A. 52:27D-304.1, the Borough Council hereby directs the Borough Attorney to file an action with the Affordable Housing Dispute Resolution Program along with this resolution and take all necessary and proper steps to address any challenges to same by any interested parties.

4. The Borough’s calculation of Present and Prospective Need Obligations are entitled to a “presumption of validity” because they comply with Sections 6 and 7 of P.L. 2024, c.2.
5. The Borough further commits to adopt its housing element and fair share plan pursuant to N.J.S.A. 52:27D-304.1f(2) based on this determination on or before June 30, 2025, and hereby further directs the Borough Attorney, Borough Affordable Housing Planner and Borough Engineer to begin taking steps to prepare the same.
7. A copy of this resolution, along with the filing date of the Borough’s action with the Program, shall be posted to the Borough website.
8. A copy of the resolution shall remain on file in the Borough Clerk’s office and available for public inspection.
9. This resolution shall take effect immediately, according to law.

**Resolution was approved by the following roll call vote:**

Council Member	Motion	Second	For	Against	Abstain	Absent
Baggstrom			x			
Haversang						x
Janas		x	x			
Ruggiero			x			
Smith						x
Medea	x		x			

**C. RESOLUTION R-34-25**

**APPOINTMENT OF DEPUTY CLERK**

**BE IT RESOLVED** by the Borough Council of the Borough of Califon, County of Hunterdon and State of New Jersey, that the following appointment is hereby made: Jessica Daehnke, Part Time Deputy Clerk, at a rate of \$18,000 annually, for 16 hours per week, effective January 21, 2025

**Resolution was approved by the following roll call vote:**

Council Member	Motion	Second	For	Against	Abstain	Absent
Baggstrom		x	x			
Haversang						x
Janas			x			
Ruggiero	x		x			
Smith						x
Medea			x			

**COMMITTEE REPORTS**

**Councilman Medea** – The Parks and Recreation Committee will now be meeting on the 2<sup>nd</sup> Wednesday of the month and will hold an open-house volunteer drive at their February meeting.

**Councilman Janas** – The Planning/Zoning Board held their annual Reorganization meeting. Their meetings will be on the 3<sup>rd</sup> Wednesday of the month, except for months that have 5 Wednesdays when the meeting will be on that 5<sup>th</sup> Wednesday. They have a public hearing on their upcoming January 29<sup>th</sup> meeting.

**Councilman Baggstrom** – The Police Chief reported that there were 8,597 “cases” in Califon for 2024. A case number is generated for every event in Califon Boro. Residents should be aware that they can call the PD if they are going to be away, and the police will keep an eye on the house.

**Councilman Ruggiero**- The next edition of the Crier will be available at the end of January.

## **MAYOR’S REPORT**

**Mayor Daniel** – Councilman Ruggiero and Mayor Daniel will attend a Shared Services Forum at the County on January 25<sup>th</sup>.

## **ADJOURNMENT**

Councilman Baggstrom made a motion to adjourn, seconded by Councilman Janas. All were in favor. The meeting adjourned at 7:41 pm.