

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
JANUARY 19, 2016 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
7:30 PM Executive Closed Session/8:00 pm Public Session**

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

2. Roll Call:

Mayor Birkner – Present
Councilmember Owens – Present
Councilmember Montana – Present
Councilmember Grefrath – Present
Councilmember Dell - Present
Council President Bicocchi - Present
Councilmember Arroyo – Present
Borough Attorney Huntington – Present
Borough Administrator Kezmarsky - Present
Borough Clerk Hughes – Present

Committee Assignments:

Public Properties
Finance, Administration & Capital Projects
Fire & Ambulance; Shared Services
Land Use
Health & Recreation
Police & Emergency Management

3. Resolution #16 - 37: Executive Closed Session

Motion to adopt Resolution #16- 37: Councilmember Montana Second: Councilmember Arroyo
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
Councilmember Grefrath – Yes Councilmember Dell - Yes
Councilmember Arroyo – Yes Council President Bicocchi – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Council President Bicocchi Second: Councilmember Arroyo
Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:06 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Present /
Councilmember Grefrath - Present / Councilmember Dell – Present / Councilmember Arroyo -
Present / Council President Bicocchi – Present / Borough Administrator Kezmarsky - Present /
Borough Attorney Huntington – Present / Borough Engineer Boswell – Present / Borough Clerk
Hughes - Present

6. Flag Salute

Councilmember Arroyo gave the invocation. Mayor Birkner led those present in the salute to the flag.

7. Approval of Minutes: Sine Die 2015, January 5, 2016 Reorganization Meeting

Motion to Adopt Sine Die 2015 Minutes and Sine Die Executive Closed Session Minutes of January 5, 2016: Councilmember Grefrath Second: Council President Bicocchi
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

Motion to Adopt Reorganization Meeting Minutes of January 5, 2016: Councilmember Grefrath
Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

8. Reports of Committees and Officials:

A) Mayor's Report

a) 2014 ADA Curb Cut Grant

Mayor Birkner reported that he and Mr. Kezmarsky met with Bergen County Community Development to review the 2014 curb cut grant. They also received some good information on the availability of funds for other projects. Mayor Birkner will distribute the map of the areas where funds can be used. Dr. Boswell reviewed the timetable to meet the grants deadlines.

b) Bergen County League of Municipalities Update

Mayor Birkner advised that the Bergen County League of Municipalities adopted a resolution on January 14th opposing legislative bills S781 and S782, which pertain to OPRA and OPMA. He suggested that Westwood might want to adopt a similar resolution.

B) Engineer's Report

a) Biweekly Report

Dr. Boswell reviewed the biweekly report, a copy of which is attached.

b) James Street

Councilmember Arroyo asked the status of the James Street project. Mr. Senkevich advised that Emerson hopes to approve the Boswell proposal for engineering at their meeting this evening.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects: CM

a) Finance Update

Councilmember Montana reported that the Finance Department is in the process of closing out 2015 and rolling over to 2016, which they expect to complete by the end of this year. All department budget requests have been submitted, and review meetings held. The Finance Committee will meet on January 26 to review the first draft of the budget. The target for adoption is April. Finally, there will be a Personnel Committee meeting on January 25th.

2) Fire and Ambulance; Shared Services:

a) Fire Department Update

Councilmember Grefrath advised that the copier for the fire department is on its way. The Fire Officers would like to arrange for a walkthrough of the new emergency room layout at the hospital. Mayor Birkner said he would be meeting with the hospital CEO and can bring it up..

b) Shared Services

Councilmember Grefrath said the shared services questionnaire has been completed by the

Governing Body and he has compiled and distributed the results. The first Shared Services Committee meeting will be February 8 from 6:30 - 7:30, with the intent of starting to put together pieces of a plan.

c) Environmental Committee

The Environmental Committee will meet on January 25th. Councilmember Grefrath said their 2016 goals include the rain garden, community garden, green market, sustainability policy, anti idling, and reducing plastic bags.

3) Health and Recreation:

Council President Bicocchi announced that both the Board of Health and the Recreation Committee reorganized for 2016.

a) Recreation Update

Council President Bicocchi reviewed the winter recreation activities.

4) Land Use:

Councilmember Dell announced that both land use boards held their reorganization meetings last week.

5) Police and OEM:

a) Parking Authority

Councilmember Arroyo advised that the Parking Authority will reorganize on January 26th and consider dates for meetings to discuss the parking study.

b) Police Update

Councilmember Arroyo said there will be two officers beginning LEADS program training tomorrow. The school system seems receptive to the program. Mayor Birkner noted it is a long time coming, and he is happy about the enthusiasm being show by the younger officers like McCarroll and Neuberger.

6) Public Properties:

Councilmember Owens reported that the DPW is preparing for potential winter weather on the weekend.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

No report.

9. Agenda/Public Forum:

Motion to open Agenda/Public Forum: Councilmember Arroyo Second: Council President Bicocchi

Voice Vote: A voice vote was taken with all present voting in the Affirmative.

Douglas Willard, 27 Andrews Drive, Woodland Park - present as bidder on the solid waste disposal contract. Once it was determined that the contract had been awarded at the last meeting, Mr. Willard voiced concern with the calculations used in determining the low bidder. He would like to review the Borough's calculations and share his information. Mr. Doyle advised that if the contract was awarded the bid can't be reopened, although there may be remedies if it was not awarded properly. Mayor Birkner suggested Mr. Kezmarsky set up a meeting with Mr. Willard and the CFO.

Motion to close Agenda/Public Forum: Councilmember Montana Second: Councilmember Bicchocchi

Voice Vote: A voice vote was taken with all present voting in the affirmative.

10. Ordinances of First & Final Reading:

Ordinances on Introduction

**16-3 An Ordinance Amending Chapter 243 Parks And Recreation Areas Schedule A
 Recreation Department Fees**

BE IT RESOLVED that Ordinance #16-3 entitled "An Ordinance Amending Chapter 243 Parks And Recreation Areas Schedule A Recreation Department Fees" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a February 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Council President Bicchocchi Second:
Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicchocchi – Yes

**16-4 An Ordinance Amending Chapter 330 Streets and Sidewalks Article 1 Sidewalk
 Construction**

BE IT RESOLVED that Ordinance #16-4 entitled "An Ordinance Amending Chapter 330 Streets and Sidewalks Article 1 Sidewalk Construction" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a February 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Dell Second: Council President Bicchocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicchocchi – Yes

Ordinances for Adoption

**16-1 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey,
 Providing For The Acquisition Of Property And Other Related Expenses In And For The
 Borough Of Westwood And Appropriating \$492,500 Therefor (Including \$200,000
 Expected To Be Received From The State Of New Jersey Green Acres Fund And
 \$292,500 From The County Of Bergen Open Space Trust Fund), And Providing For The
 Issuance Of \$477,875 In Bonds Or Notes Of The Borough Of Westwood To Finance The**

Same

BE IT RESOLVED that Ordinance #16-1 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of Property And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$492,500 Therefor (Including \$200,000 Expected To Be Received From The State Of New Jersey Green Acres Fund And \$292,500 From The County Of Bergen Open Space Trust Fund), And Providing For The Issuance Of \$477,875 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same” having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Grefrath Second: Council President Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:

No comments.

Motion to close the public hearing: Councilmember Grefrath Second: Councilmember Arroyo
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #16-1 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Grefrath Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
Councilmember Grefrath – Yes Councilmember Dell - Yes
Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-2 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Construction Of ADA Accessible Curb Ramps And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$210,000 Therefor (Including \$175,000 Expected To Be Received From The County Of Bergen 2014 Community Development Block Grant Trust Fund), And Providing For The Issuance Of \$35,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #16-2 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Construction Of ADA Accessible Curb Ramps And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$210,000 Therefor (Including \$175,000 Expected To Be Received From The County Of Bergen 2014 Community Development Block Grant Trust Fund), And Providing For The Issuance Of \$35,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same” having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Grefrath Second: Councilmember Montana
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:

No comments.

Motion to close the public hearing: Councilmember Grefrath Second: Councilmember Arroyo
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #16-2 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Grefrath Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

11. Presentation of Bills, Financial Reports and Resolutions:

Councilmember Grefrath asked if there were any resolutions to add to the Consent Agenda. He stated that any Councilmembers who wished to remove any Resolution(s) to be voted upon separately could do so at this time, otherwise the Consent Agenda would be enacted in one motion.

Resolutions as Consent Agenda:

- a) **Resolution #16 - 38: Authorizing Refund of Taxes B1805 L9**
- b) **Resolution #16 - 39: Authorizing Refund of Taxes B1408 L17**
- c) **Resolution #16 - 40: Authorizing Refund of Taxes B202 L15**
- d) **Resolution #16 - 41: Authorizing Refund of Taxes B908 L4**
- e) **Resolution #16 - 42: Abatement of Taxes B907 L21**
- f) **Resolution #16 - 43: 2015 Reserve Budget Transfers**
- g) **Resolution #16 - 44: Awarding Contracts by Public Bidding - Financial Advisor, Bond Counsel**
- h) **Resolution #16 - 45: 2016-2020 Animal Shelter Contract with the County of Bergen**
- i) **Resolution #16 - 46: Authorize Release of Performance Bond - ETD Tire Centers, Inc.**
- j) **Resolution #16 - 47: Authorizing Preparation of Plans and Specifications for the 2014 CDBG ADA Curb Ramp Project**
- k) **Resolution #16 - 48: Authorizing Disposal of Surplus Property by Online Auction**
- l) **Resolution #16 - 49: Approval of Friends of the Westwood Baseball Association Application to Consume Alcoholic Beverages on Public Property**
- m) **Resolution #16 - 50: Westwood Volunteer Fire Dept - Matters of Personnel**

Motion to adopt resolutions #16-38 through #16-50: Councilmember Grefrath

Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

12. Adjournment:

Motion to adjourn: Councilmember Bicocchi Second: Council President Arroyo

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:19 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk