

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
FEBRUARY 16, 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:

Committee Assignments:

| | |
|---|--|
| Mayor Birkner – Present | |
| Councilmember Owens – Present | Public Properties |
| Councilmember Montana – Present | Finance, Administration & Capital Projects |
| Councilmember Grefrath – Present | Fire & Ambulance; Shared Services |
| Councilmember Dell - Present | Land Use |
| Councilmember Arroyo – Present | Police & Emergency Management |
| Council President Bicocchi - Present | Health & Recreation |
| Borough Attorney Huntington – Present | |
| Borough Administrator Kezmarsky - Present | |
| Borough Clerk Hughes – Present | |

3. Resolution #16 - 59: Executive Closed Session

Motion to adopt Resolution #16- 59: 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 Grefrath
Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 7:59 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 Senkevich – 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: January 19, 2016

Motion to Adopt Minutes of January 19, 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. Resolution #16 - 60: Appointments to Shade Tree Advisory Committee

Motion to adopt Resolution #16- 60: Councilmember Montana Second: Councilmember Grefrath

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

Mayor Birkner with Councilmember Montana administered the Oaths of Office for the Shade Tree Committee members.

9. Reports of Committees and Officials:

A) Mayor's Report

a) Home Buyers Workshop

Mayor Birkner advised that there would be home buyers workshops sponsored by Bergen County on several dates in March. Information would be available at the Clerk's office.

b) Anti Rabies Clinic

Mayor Birkner read correspondence from the Board of Health thanking residents for volunteering at the anti rabies clinic.

c) Taxpayer Alliance and Chamber of Commerce Request

Mayor Birkner said he agrees with the Taxpayer Alliance and Chamber of Commerce recommendation in their letter of February 2nd that there should be a liaison from the Council to these organizations. He will meet with the Council President to discuss this and other suggestions in the document.

B) Engineer's Report

1) Biweekly Report

Mr. Senkevich reviewed the biweekly report, a copy of which is attached.

2) 2014 CDBG Barrier Free Curb Project Bid Award

Mr. Senkevich reviewed the bid result and recommended awarding the base bid only to Takton. Councilmember Montana asked about the alternates. Mr. Senkevich explained that due to time constraints with the project it was prudent to list some of the streets as alternates.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects: CM

a) Budget Update

Councilmember Montana reported that the finance committee met on February 9 to review the budget. The Police superior officers were present to give insight on the police budget requests, which was helpful. This year's budget will be as challenging if not more so than last year's. The next meeting of the committee will be February 22. Councilmember Montana asked anyone who hadn't done so to confirm availability for a special Governing Body budget meeting on March 8th.

The Annual Financial Statement and Debt Statement were submitted and are posted on the Borough website.

Moodys performed an unsolicited review, from which we should be receiving a report shortly.

b) Shade Tree Committee

Councilmember Montana thanked the volunteers who stepped up as the Borough reconstitutes the Shade Tree Committee. He is looking forward to creating innovative opportunities for the committee.

2) Fire and Ambulance; Shared Services:

a) Shared Services

Councilmember Grefrath advised that he is developing a report based on the first Shared Services meeting held February 8th. He will be grouping efforts into tiers. Westwood must find other municipalities with the same vision on shared services in order for it to work.

b) Farmer's Market

Councilmember Grefrath reviewed the letter from Joseph Abou Daoud of the Chamber of Commerce regarding a 2016 farmers market to be held either at Veterans Park or the Borough Hall parking lot from June 4 to October 29. Mayor Birkner pointed out that the letter was only received today and he recommends moving the discussion to the March 1st work session.

3) Health and Recreation:

a) Recreation Update

Council President Bicocchi reported that two new scoreboards are being donated to the Community Center gym by Riverside Oral Surgery and the Christopher Hrbek Foundation. The summer concerts have all been booked, and new sponsorships have been received to cover the costs.

b) Health Department Update

Council President Bicocchi advised that the Health Department is available to take calls concerning the zika virus.

4) Land Use:

a) Historic Preservation Commission Update

Councilmember Dell reported that the Historic Preservation Commission held their first meeting of the year and swore in their new members.

5) Police and OEM:

a) Police Update

Councilmember Arroyo said the Police Reserves have some matters they'd like addressed, which will be brought to a Police Committee meeting.

b) Parking Authority Update

Councilmember Arroyo referenced the Mayor's report on the TPA/Chamber letter, which included a complaint about lighting conditions in the outlying parking areas. Councilmember Arroyo asked the DPW Superintendent to survey the parking areas on Fairview and Center. Mr. Woods believes there could be 11 more lights on those two blocks and will meet with PSE&G to ask them to look into it. Councilmember Arroyo believes that should allay some of the TPA/Chamber concerns.

6) Public Properties:

No report.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

No report.

10. Agenda/Public Forum:

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

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

Helen Guler, 17 St. Nicholas - voiced her concerns with the farmers market, which includes traffic, commercialization of the neighborhood, and loud music every weekend. While Ms. Guler appreciates the positives of a market, and that it raises money for scholarships, she would like the duration and location looked at. If no alternate location is doable, she would at least request no music. Mayor Birkner said the letter was only received today, so there will be further discussion at the next work session and action at the public meeting.

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

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

Mayor Birkner excused himself to attend to some family business. The time was 8:37 pm. Council President Bicocchi chaired the remainder of the meeting.

11. Ordinances of First & Final Reading:

Ordinances on Introduction

16-5 An Ordinance To Amend Chapter 157: Filming Of The Code Of The Borough Of Westwood

BE IT RESOLVED that Ordinance #16-5 entitled "An Ordinance To Amend Chapter 157: Filming Of The Code Of The Borough Of Westwood" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a March 15, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-6 An Ordinance to Amend Chapter 249 Peddling and Soliciting

BE IT RESOLVED that Ordinance #16-6 entitled "An Ordinance to Amend Chapter 249 Peddling and Soliciting" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a March 15, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second: Councilmember Owens

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

Councilmember Arroyo pointed out that this is a companion to an ordinance that was passed last year establishing a no-knock list for residents who would prefer not to be solicited.

16-7 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Scoreboards From Donated Funds For The Borough Recreation Department And Related Expenses And Appropriating \$8,000 Therefor From The Borough’s Recreation Fund – Donated Funds

BE IT RESOLVED that Ordinance #16-7 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Scoreboards From Donated Funds For The Borough Recreation Department And Related Expenses And Appropriating \$8,000 Therefor From The Borough’s Recreation Fund – Donated Funds” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a March 15, 2016 hearing date in the official newspaper according to law.

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

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

Ordinances for Adoption

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” having hereby been read by title, shall have a hearing held on this date.

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

Public Comments:

No comments.

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

BE IT RESOLVED that an Ordinance known as #16-3 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: Council President Bicocchi Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes
Councilmember Arroyo – Yes Council President Bicocchi – 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” having hereby been read by title, shall have a hearing held on this date.

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

Public Comments:

No comments.

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

BE IT RESOLVED that an Ordinance known as #16-3 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: Councilmember Owens

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

12. 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. Resolution o was added at this time. Councilmember Arroyo asked for a separate vote for resolution n.

Resolutions as Consent Agenda:

- a) **Resolution #16 - 61: Bill List & Statement of Cash**
- b) **Resolution #16 - 62: 2015 LOSAP Contributions**
- c) **Resolution #16 - 63: 2015 Reserve Budget Transfers**
- d) **Resolution #16 - 64: Temporary Budget Amendment #1**
- e) **Resolution #16 - 65: Opposing Suez/United Water’s Rate/Tax Increase**
- f) **Resolution #16 - 66: Temporary Capital Budget Amendment**
- g) **Resolution #16 - 67: Participation in the Sustainable Jersey Municipal Certification Program**
- h) **Resolution #16 - 68: Approval Friends of Emerson Softball’s Application to Consume Alcoholic Beverages on Public Property**
- i) **Resolution #16 - 69: Approval of Jessica Sullivan’s Request to Consume Alcoholic Beverages on Public Property for a Family Party**
- j) **Resolution #16 - 70: Approval of Friends of Westwood Football Association Application to Consume Alcoholic Beverages on Public Property**
- k) **Resolution #16 - 71: Authorizing Disposal of Surplus Property by Online Auction**
- l) **Resolution #16 - 72: Award of Bid for 2014 CDBG Barrier Free Curb Ramp Project**
- m) **Resolution #16 - 73: Authorizing Construction Oversight for 2014 CDBG Barrier**

Free Curb Ramp Project

o) Resolution #16 - 74: Authorizing Developers Agreement for Westgate

Motion to adopt resolutions #16-61 through #16-74: Councilmember Grefrath

Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

 Councilmember Grefrath – Yes Councilmember Dell - Yes

 Councilmember Arroyo – Yes Council President Bicocchi – Yes

n) Resolution #16 - : Authorizing Agreement for Bergen County Fire Truck Loaner Program

Motion to adopt resolution: Councilmember Grefrath Second: Councilmember Owens

Councilmember Arroyo said he would prefer to table the resolution until an official position in writing is received from the Fire Department. After further discussion Councilmember Grefrath was charged with requesting a memo from the Fire Chief.

Motion to table resolution: Councilmember Arroyo Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

 Councilmember Grefrath – Yes Councilmember Dell - Yes

 Councilmember Arroyo – Yes Council President Bicocchi – Yes

13. Adjournment:

Motion to adjourn: Council President Bicocchi Second: Councilmember Arroyo

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

The time was 8:46 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk