

**BOROUGH OF WESTWOOD  
PUBLIC MEETING OF THE MAYOR & COUNCIL  
AUGUST 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:**

Mayor Birkner – Present  
Councilmember Owens – Present  
Councilmember Montana – Present  
Councilmember Grefrath – Absent  
Councilmember Dell - Present  
Councilmember Arroyo – Present  
Council President Bicocchi - 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  
Police & Emergency Management  
Health & Recreation

**3. Resolution #16 - 204: Executive Closed Session**

**Motion to adopt Resolution #16- 204:** Council President Bicocchi Second: Councilmember Arroyo  
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes  
Councilmember Grefrath – Absent Councilmember Dell - Yes  
Councilmember Arroyo – Yes Council President Bicocchi – Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Council President Bicocchi Second: Councilmember Owens  
Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:14 pm.

**5. Roll Call II:**

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Present /  
Councilmember Grefrath - Absent / 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. Resolution #16 - 205: Hiring Of Class I Special Officers**

**Motion to adopt Resolution #16- 205:** Councilmember Arroyo Second: Council President Bicocchi  
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes  
Councilmember Grefrath – Absent Councilmember Dell - Yes  
Councilmember Arroyo – Yes Council President Bicocchi – Yes

Mayor Birkner administered the Oath of Office to Ryan Sestanovich, Nicolas Antonucci, and John Forte.

## **8. Reports of Committees and Officials:**

### **A) Mayor's Report**

#### **1) Dispatch Center**

Mayor Birkner advised that he has sent out letters regarding improvements to the Borough's dispatch center and the ability to perform dispatch services for additional communities. He noted that the Fire Department dispatch center allows for continued service without interruption. He anticipates Hillsdale and perhaps Emerson attending the August 22<sup>nd</sup> shared services meeting. Mayor Birkner believes this is an area to realize some significant savings on operations.

Mayor Birkner commented that the summer Recreation programs have been remarkable.

Mayor Birkner noted that he attended a Taub Foundation grant meeting on improving senior services with Councilmember Montana's daughter, who is a paid intern for the Foundation.

### **B) Engineer's Report**

#### **1) Biweekly Report**

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

#### **2) Emerson Road Pump Station**

Councilmember Montana asked the status of the Emerson Road pump station. Mr. Kezmarsky said he will be in River Vale tomorrow and check with his counterpart.

#### **3) 2016 Road Paving Program**

Councilmember Arroyo asked if waiting to award the 2016 road paving program causes a weather-related issue. Mr. Morris said in order for paving to be done in October there should be a decision in September. Mr. Senkevich reviewed the base bid and two alternates. Mr. Kezmarsky explained that there is enough funding for the base bid. The CFO will have to determine if there is sufficient funding left in other bonds to award Alternate A. Alternate B is the NJDOT project and based on State approval. Councilmember Arroyo asked if Alternates A and B would have to be rebid if not awarded. Mr. Morris said yes.

#### **4) ADA Ramps**

Mr. Kezmarsky advised that approval has been received from the County for the list of ADA ramps. Mr. Senkevich said he provided a proposal.

### **C) Council Liaison & Committee Reports**

#### **1) Finance, Administration and Capital Projects:**

##### **a) Finance Department Update**

Councilmember Montana announced that property tax information is now available on the Borough website. Residents can also make tax payments on line by automated check or credit card, for which there will be a service charge. There is no fee for an ACH withdrawal from a checking account. Seniors and disabled property owners should check the website for property tax discount and senior freeze information. Councilmember Montana added that there is a tax

sale on September 7; the Borough received approval for the COAH rider; and the CFO has enrolled in the County's electronic purchase order program in order to submit purchase orders for county work more quickly.

**2) Health and Recreation:**

**a) Fire Department Update**

Council President Bicocchi relayed Councilmember Grefrath's thanks to the Fire Department for the fabulous wetdown, and the Ambulance Corps for attending and caring for those with heat exhaustion.

**b) Recreation Update**

Council President Bicocchi commented that the summer concerts were a great success. There are two more movies in the park before the series ends.

**c) Health Department Update**

Council President Bicocchi reported that the Health Department is very active with preventive maintenance calls regarding mosquitos in light of the Zika and West Nile viruses.

**3) Land Use:**

**a) Washington Avenue Crosswalk Safety**

Councilmember Dell said the safety improvements to the crosswalk area on Washington Avenue is progressing with the installation of lights.

**b) Library Update**

Councilmember Dell advised that the butterfly program at the Library went well. She hopes everyone is reading their One Book Westwood selection. The party to conclude the program is on September 15<sup>th</sup>. This Friday the summer reading program concludes with an event at the bandstand.

Councilmember Dell commented that she was visiting Cape May and attended a Mayor and Council session. She found there are a lot of similarities.

**4) Police and OEM:**

**a) Parking Update**

Councilmember Arroyo noted the parking ordinances that are on the agenda for adoption are a collaboration between the Parking Authority, Chamber of Commerce and Westwood Taxpayers Alliance. He thanked the Clerk for shepherding the process. He asked for bullet points on the parking program to be added to the website.

**5) Public Properties:**

No report.

**D) Attorney's Report**

No report.

**E) Administrator's / Clerk's Report**

**1) Telephone System**

Mr. Kezmarsky discussed the proposed upgrade to the telephone system, which will save the Borough \$255,000 over five years. Councilmember Owens asked if the DPW will still need a fax line with the new system. Mr. Kezmarsky will look into it, but theoretically no. Councilmember Owens asked if the savings can be tracked. Mr. Kezmarsky said absolutely.

**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.

Julie Ogden, 611 Lafayette Ave- asked for a puppy mill ordinance to be introduced and gave Mayor Birkner a sample ordinance to follow. Ms. Ogden discussed her concerns with pet stores, which operate on impulse. She believes that the pet purchase protection act currently before the legislature will grandfather existing stores, and the person from the Paramus/Emerson puppy mill situation is still in business. Ms. Ogden believes Westwood should take a strong offense to keep him out and is asking that an ordinance be passed.

George Zahnleiter, 42 Washington Avenue, Hillsdale - agreed with Ms. Ogden that an ordinance should be passed to keep the puppy mill situation from coming to Westwood.

**Motion to close Agenda/Public Forum:** Councilmember Arroyo Second: Council President Bicocchi  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**10. Ordinances of First & Final Reading:**

**Ordinances on Introduction**

**Ordinances for Adoption**

**16-18 An Ordinance Amending Chapter 6 Boards, Committees And Commissions To Add Article VII Senior Citizen Advisory Committee**

**BE IT RESOLVED** that Ordinance #16-18 entitled “An Ordinance Amending Chapter 6 Boards, Committees And Commissions To Add Article VII Senior Citizen Advisory Committee” having hereby been read by title, shall have a hearing held on this date.

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

**BE IT RESOLVED** that an Ordinance known as #16-18 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 Montana Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes  
Councilmember Grefrath – Absent Councilmember Dell - Yes

Councilmember Arroyo – Yes

Council President Bicocchi – Yes

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**16-19 An Ordinance To Amend Chapter 237, Parking Lots, Municipal**

**BE IT RESOLVED** that Ordinance #16-19 entitled “An Ordinance To Amend Chapter 237, Parking Lots, Municipal” having hereby been read by title, shall have a hearing held on this date.

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

**BE IT RESOLVED** that an Ordinance known as #16-19 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 Arroyo Second: Council President Bicocchi

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

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**16-20 An Ordinance to Amend Chapter 375 Vehicles and Traffic Part 2. Parking - Revised**

**BE IT RESOLVED** that Ordinance #16-20 entitled “An Ordinance to Amend Chapter 375 Vehicles and Traffic Part 2. Parking - Revised ” having hereby been read by title, shall have a hearing held on this date.

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

**BE IT RESOLVED** that an Ordinance known as #16-20 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 Arroyo Second: Councilmember Owens

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

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**16-21 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Various Equipment For The Borough Fire Department And Related Expenses And Appropriating \$61,000 Therefor From The Borough’s**

### **Capital Fund Surplus**

**BE IT RESOLVED** that Ordinance #16-21 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Various Equipment For The Borough Fire Department And Related Expenses And Appropriating \$61,000 Therefor From The Borough’s Capital Fund Surplus ” 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 Dell  
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 Dell  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #16-21 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 – Absent Councilmember Dell - Yes  
Councilmember Arroyo – Yes Council President Bicocchi – Yes

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**16-22 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Equipment For The Borough Police Department And Related Expenses And Appropriating \$63,000 Therefor From The Borough’s Capital Fund Surplus**

**BE IT RESOLVED** that Ordinance #16-22 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Equipment For The Borough Police Department And Related Expenses And Appropriating \$63,000 Therefor From The Borough’s Capital Fund Surplus” having hereby been read by title, shall have a hearing held on this date.

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

**BE IT RESOLVED** that an Ordinance known as #16-22 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 Arroyo Second: Councilmember Owens

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

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**16-23 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Salt Spreading Equipment For The Borough Department Of Public Works And Related Expenses And Appropriating \$31,300 Therefor From The Borough's Capital Fund Surplus**

**BE IT RESOLVED** that Ordinance #16-23 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Salt Spreading Equipment For The Borough Department Of Public Works And Related Expenses And Appropriating \$31,300 Therefor From The Borough's Capital Fund Surplus" having hereby been read by title, shall have a hearing held on this date.

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

**BE IT RESOLVED** that an Ordinance known as #16-23 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 Owens Second: Councilmember Dell

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Absent Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Biccocchi – Yes

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**11. Presentation of Bills, Financial Reports and Resolutions:**

Councilmember Montana 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. Councilmember Owens asked for resolution k to be voted on separately.

**Resolutions as Consent Agenda:**

- a) Resolution #16 - 206: Bill List & Statement of Cash
- b) Resolution #16 - 207: Authorizing Refund of Taxes Due to Tax Court Judgment
- c) Resolution #16 - 208: Authorizing Refund of Taxes B 701 L 13
- d) Resolution #16 - 209: Authorizing Refund of Taxes B301 L23.02
- e) Resolution #16 - 210: Westwood Volunteer Fire Department Matters of Personnel
- f) Resolution #16 - 211: Hiring of Parking Authority Enforcement Officer
- g) Resolution #16 - 212: Hiring of Per Diem Dispatchers
- h) Resolution #16 - 213: Authorizing Bergen County Trust Fund Grant Project - Tennis Court Rehabilitation
- i) Resolution #16 - 214: Authorizing the Purchase of Salt Spreaders
- j) Resolution #16 - 215: Authorizing the Purchase of a Telephone System From State Contract Vendor
- l) Resolution #16 - 216: Honoring Bergen Volunteer Center On Its 50<sup>th</sup> Anniversary
- m) Resolution #16 - 217: Approval of Mr. & Mrs. Shaun Maul's Request to Consume

**Alcoholic Beverages on Public Property for a Baptismal Party**  
**n) Resolution #16 - 218: Approval of Friends of Emerson Football, Inc., Application to Consume Alcoholic Beverages on Public Property**

Motion to adopt resolutions #16-206 through #16-218: Councilmember Montana

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

**k) Resolution #16 - : Adoption of Companion Animal Management Pledge**

Councilmember Owens feels the requirements of the proposed animal management pledge should be discussed further and asked to table the resolution. Mayor Birkner explained that it supports Board of Health initiatives. Mrs. Hughes explained it is part of Sustainable Jersey. Council President Bicocchi will bring it back to the Board of Health and get further clarification.

**12. Adjournment:**

**Motion to adjourn:** Councilmember Montana    Second: Councilmember Owens

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

The time was 9:10 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk