

**BOROUGH OF WESTWOOD
SPECIAL MEETING OF THE MAYOR & COUNCIL
AUGUST 4, 2015 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
8:00 PM**

1. Opening of the Meeting:

The special meeting was called to order by Mayor Birkner at 8:00 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 special 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 – Absent
Councilmember Miller – Present
Councilmember Grefrath – Absent
Councilmember Bicocchi - Present
Council President Arroyo – Present
Borough Attorney Huntington – Present
Interim Borough Administrator Kezmarsky - present
Borough Clerk Hughes - present

Committee Assignments:

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

3. Resolution #15- 175: Award of Bid for Roof Replacement at Borough Hall

Motion to adopt resolution #15-175: Councilmember Bicocchi Second: Council President Arroyo

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

Mayor Birkner noted that the Borough Attorney had confirmed the price of the low bidder. Mr. Huntington explained that the Construction Official and Architect had spoken with the bidder and confirmed that nothing was overlooked by the bidder.

4. Flag Salute:

Mayor Birkner led those present in the salute to the flag.

5. Public Forum:

Motion to open Agenda/Public Forum: Councilmember Miller Second: Councilmember Bicocchi

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

No one wished to be heard.

Motion to close Agenda/Public Forum: Councilmember Bicocchi Second: Councilmember Owens

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

5. Consideration of a Procedural Question Regarding Police Promotion

Council President Arroyo stated that there is a procedural choice to determine due to receipt of an appeal from one of the recent applicants for promotion to the position of lieutenant. The Governing Body must make a determination whether to exercise its discretion to reconsider. The Borough Labor Counsel and Borough Attorney jointly recommend that since there were three eligible candidates for three open positions, and the Governing Body offered a promotion to each of the eligible candidates, therefore there is no need to reconsider the promotional process for lieutenant. The Borough's legal counsel has concluded that this means the Governing Body should rescind the unconsummated promotional offer previously made, but do so without prejudice so that the officer may apply for the position in the future.

Council President Arroyo moved that there is no need to reconsider, and further move that the offer of promotion is hereby rescinded without prejudice.

Resolution #15- 176: Decision Regarding Appeal of Promotional Process

Motion to adopt resolution #15-176: Council President Arroyo Second: Councilmember Miller

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

7. Adjournment:

Motion to adjourn: Councilmember Miller Second: Councilmember Owens

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

The time was 8:07 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk