

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
SEPTEMBER 15, 2015 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
7:00 PM Executive Closed Session/8:00 pm Public Session**

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 7:00 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 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 – Absent
Vacant
Councilmember Grefrath – Present
Councilmember Bicocchi - Present
Council President Arroyo – Present
Borough Attorney Huntington – Present
Interim 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 - 204: Executive Closed Session

Motion to adopt Resolution #15-204: Councilmember Owens Second: Council President Arroyo
Roll Call: Councilmember Owens - Yes Councilmember Montana - Absent
 Vacant Councilmember Grefrath - Yes
 Councilmember Bicocchi – Yes Council President Arroyo – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Council President Arroyo Second: Councilmember Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:03 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Absent /
Vacant / Councilmember Grefrath – Present / Councilmember Bicocchi - Present / Council
President Arroyo – Present / Interim Administrator Kezmarsky - Present / Borough Attorney
Huntington – Present / Borough Engineer Senkevich – Present / Borough Clerk Hughes - Present

6. Flag Salute

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

7. Approval of Minutes: April 21, April 30, May 5, May 19, 2015

Motion to Adopt Minutes of April 21, May 5, May 19: Councilmember Grefrath Second: Council
President Arroyo
Roll Call: Councilmember Owens - Yes Councilmember Montana - Absent
 Vacant Councilmember Grefrath - Yes
 Councilmember Bicocchi – Yes Council President Arroyo – Yes

Motion to Adopt Minutes of April 30: Councilmember Grefrath Second: Council President Arroyo
Roll Call: Councilmember Owens - Yes Councilmember Montana - Absent
Vacant Councilmember Grefrath - Abstain
Councilmember Bicocchi – Yes Council President Arroyo – Yes

8. Resolution #15 - 205: Filling Council Vacancy

Motion to adopt resolutions #15-205: Council President Arroyo
Second: Councilmember Bicocchi
Roll Call: Councilmember Owens - Yes Councilmember Montana - Absent
Vacant Councilmember Grefrath - Yes
Councilmember Bicocchi – Yes Council President Arroyo – Yes

Mayor Birkner administered the Oath of Office to Beth Dell.

9. Resolution #15 - : Appointment of CERT Members

Mayor Birkner noted that the CERT members would be appointed at a future meeting.

10. Proclamation - National Sickle Cell Awareness Month

11. Proclamation - National Childhood Cancer Awareness Month

12. Reports of Committees and Officials:

A) Mayor's Report

1) Woodcliff Lake Reservoir Water Elevation Level

Mayor Birkner discussed the flooding that has plagued Westwood for decades, and the efforts by the Borough to mitigate flooding issues. He explained how maintaining the Woodcliff Lake Reservoir at 91 feet year-round is the difference between flooding at not flooding. With the completion of the dam stabilization project in December, the intention is to refill the reservoir to the 95 foot level by summer.

Mayor Birkner presented a resolution that states the reservoir can provide adequate water supply at 91 feet while absorbing storm runoff, and requesting municipal, county and state officials support this stance. He asked for a motion to adopt the resolution.

Resolution #15 - 206: Maintaining 4.24 Feet of Freeboard Year Round in the Woodcliff Lake Reservoir

Motion to adopt resolutions #15-206: Council President Arroyo Second: Councilmember Bicocchi
Roll Call: Councilmember Owens - Yes. Would have liked more time to deliberate.

Councilmember Montana - Absent

Councilmember Dell - Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes. He noted that the United Water website acknowledged August as a dry month, the reservoir is at 50% capacity, yet they still have the ability to service customers without a mandatory conservation. Council President Arroyo believes there will be plenty of water at 91 feet. Mayor Birkner said the four feet equals 1% of the total water volume. It's not a financial issue, it's a policy issue. The DEP is concerned there will be pressure elsewhere if they allow this, but this is what is best for Westwood residents.

Mayor Birkner thanked the Council for their support. Council President Arroyo said Mayor Birkner has been on point on this issue for many years and commended him for the work he's done.

B) Engineer's Report

1) Biweekly Report

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

2) Reservoir Level

Dr. Boswell recommended some changes to clarify the language of the reservoir level resolution. Mayor Birkner requested he review it. Councilmember Owens asked how the dam works. Mayor Birkner explained the bascule gate operation.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects/Fire and Ambulance:

a) Best Practices

Councilmember Grefrath discussed the Best Practices checklist, noting that the deadline for submission is Friday, October 16th.

b) Financial Department Update

Councilmember Grefrath reported that the salary ordinance would be presented for consideration next month. The CFO has begun the process for issuing bonds. There will be a short presentation prior to the November work on electronic requisition approval training in a move to go to paperless requisitions.

c) Borough Administrator Search Committee

Councilmember Grefrath advised that there will be a Search Committee meeting on September 16th. There will be a Personnel Committee meeting on September 28th.

d) Fire Department Update

Councilmember Grefrath said he will be continuing the planning started by Councilmember Miller with the Fire Department to hold a training session at the Fire Academy for the Governing Body. The annual inspection will be held on Saturday, October 10th. Fire Prevention Week is October 3rd through 9th.

2) Health and Recreation:

a) DPW Update

On behalf of Councilmember Montana, Councilmember Biccocchi reported that the DPW will be planting the trees requested by residents.

b) Recreation Update

Councilmember Biccocchi reported that there was a 20% increase in participation in the 2015 Summer Recreation program over last year.

3) Land Use:

a) Historic Preservation Commission Update

Councilmember Bicocchi announced that the Historic Commission has received a certificate of eligibility for historical status for the train station.

b) LB3 Zone Planning Review

Councilmember Bicocchi reported that at their last meeting the Planning Board voted to recommend removing medical uses from the LB3 zone along Kinderkamack Road. The Board feels it will encourage retail use in an area that is already heading in that direction. Mayor Birkner noted that the Governing Body hasn't yet received the formal recommendation and draft ordinance but should have it by the next meeting. Councilmember Bicocchi confirmed.

4) Police and OEM:

a) Parking Authority Update

Council President Arroyo advised that the Parking Authority will meet on October 6th to discuss the parking study and also overnight parking.

b) Library Update

Westwood Librarian Martha Urbiel spoke about the upcoming Taste of Westwood on September 27th and officially invited everyone to participate. She also reported on the success of the One Book Westwood, which is ending with a special program on October 22nd.

5) Public Properties:

a) DPW Update

Councilmember Owens asked Mr. Kezmarsky to follow up on purchasing an aerator seeder with the Board of Education.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

No report.

13. Agenda/Public Forum:

Motion to open Agenda/Public Forum: Council President Arroyo Second: Councilmember Owens
Voice Vote: A voice vote was taken with all present voting in the Affirmative.

Jenny Huang, Furama, Washington Ave - voiced concern with the loss of two parking spaces in front of her store when the train signalization project was done. Ms. Huang requested the spots be returned or 15 minute parking be permitted. Mayor Birkner explained that the law does not allow either scenario. He is hopeful that the development of the property next door might provide relief.

Patricia Grisolia, 48 Roosevelt Ave - requested a solution to address the need for overnight parking. Ms. Grisolia reviewed her concerns with the parking situation in her neighborhood.

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

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

14. Ordinances of First & Final Reading:

Ordinances for Introduction

15-22 An Ordinance Authorizing Sale Of Land Without Public Auction

BE IT RESOLVED that Ordinance #15-22 entitled “An Ordinance Authorizing Sale Of Land Without Public Auction” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an October 13, 2015 hearing date in the official newspaper according to law.

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

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

15-23 An Ordinance Regulating the Statutory Authority of Verizon New Jersey, Inc., Its Successors and Assigns To Use The Various Public Streets, Roads, Avenues, Highways and Other Public Ways In The Borough of Westwood, Bergen County, New Jersey, For Its Local and Through Lines and Other Communications Facilities and Prescribing The Conditions Thereof

BE IT RESOLVED that Ordinance #15-23 entitled “An Ordinance Regulating the Statutory Authority of Verizon New Jersey, Inc., Its Successors and Assigns To Use The Various Public Streets, Roads, Avenues, Highways and Other Public Ways In The Borough of Westwood, Bergen County, New Jersey, For Its Local and Through Lines and Other Communications Facilities and Prescribing The Conditions Thereof” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an October 13, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second: Council President Arroyo

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

Ordinances for Adoption

15-20 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 Appropriating \$70,000 Therefor And Providing For The Issuance Of \$66,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #15-20 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 Appropriating \$70,000 Therefor And Providing For The Issuance

Of \$66,500 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 Bilocchi
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 Bilocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #15-20 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 Grefrath Second: Councilmember Bilocchi

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

15-21 An Ordinance Amending Chapter 375 Vehicles And Traffic, Article X Bus Stops

BE IT RESOLVED that Ordinance #15-21 entitled “An Ordinance Amending Chapter 375 Vehicles And Traffic, Article X Bus Stops” having hereby been read by title, shall have a hearing held on this date.

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

BE IT RESOLVED that an Ordinance known as #15-21 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: Councilmember Grefrath Second: Council President Arroyo

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

15. 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 #15 - 207: Bill List & Statement of Cash**
- b) **Resolution #15 - 208: Authorizing Refund of Taxes B215 L4**
- c) **Resolution #15 - 209: Authorize Release of Performance Bond - Lipkin Properties, LLC**
- d) **Resolution #15 - 210: Approving Job Description for Borough Administrator and Authorizing Interview Process**

- e) Resolution #15 - 211: Authorizing Education Requirements for Department Heads**
- f) Resolution #15 - 212: Approval of Amusement Device License - Muller Restaurant Group t/a Recovery Room**
- g) Resolution #15 - 213: Appointment to Safety Committee**
- h) Resolution #15 - 214: Authorizing the Purchase of Two Police Vehicles**
- i) Resolution #15 - 215: 2015-2016 Limo License Renewal - NA Limo, Inc.**

Motion to adopt resolutions #15-207 through #15-215: Councilmember Grefrath
Second: Councilmember Owens

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

16. Adjournment:

Motion to adjourn: Councilmember Dell Second: Council President Arroyo
Voice Vote: A voice vote was taken with all present voting in the affirmative.
The time was 9:08 pm.
Attest:

(signed) Karen Hughes
Karen Hughes, RMC, Borough Clerk
Proofed by: Denise Holmes, Deputy Clerk