

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
DECEMBER 15, 2015 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 Dell - Present
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
Library
Finance, Administration & Capital Projects; Fire & Ambulance
Land Use
Police & Emergency Management

3. Resolution #15 - 275: Executive Closed Session

Motion to adopt Resolution #15- 275: Councilmember Montana Second: Council President Arroyo

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

4. Reopen the Meeting:

Motion to reopen the meeting: Council President Arroyo Second: Councilmember Montana

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8 pm.

5. Roll Call II:

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

6. Flag Salute

Councilmember Grefrath asked for a moment of silence in memory of Robert Saul Sr. Mayor Birkner led those present in the salute to the flag.

7. Approval of Minutes: September 15, 2015

Motion to Adopt Closed Session Minutes of September 15: Councilmember Grefrath Second:
Council President Arroyo

Roll Call: Councilmember Owens - Yes Councilmember Montana - Abstain

Councilmember Dell - Abstain
Councilmember Bicocchi – Yes

Councilmember Grefrath - Yes
Council President Arroyo – Yes

Motion to Adopt Minutes of September 15: Councilmember Grefrath Second: Councilmember Owens

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

8. Oath of Office for Police Reserves Sergeant Kenroy Morrison

9. 10U Baseball Team NEBAS Fall Champions

10. Reports of Committees and Officials:

A) Mayor's Report

1) Stigma Free Committee

Mayor Birkner reported on the inaugural County-wide Stigma Free meeting at the Fiesta last week, which was an extraordinarily successful even. Later in the day there was a meeting of the Westwood Stigma Free Committee which was extremely positive. The Committee reviewed a specific incident with the Police Department concerning an individual in the community that has mental health matters. Mayor Birkner commended Chief Regino for his exemplary handling of the situation, and his discussion of training protocols and procedures for the Police Department when dealing with mental health issues. Westwood has sent officers for crisis intervention training. Mayor Birkner is excited that as President of the County Chiefs Association, Chief Regino will be bringing the Stigma Free initiative up to other chiefs so officers can be trained to handle patients with dignity and respect.

2) Senior Citizen Breakfast

Mayor Birkner reported on the successful senior citizen breakfast to get input from seniors on improving the Borough's age friendly infrastructure. The breakfast went hand-in-hand with the grant initiative application from the Taub Foundation. The feedback will help with the grant application.

3) Home for the Holidays

Mayor Birkner reflected that Home for Holidays was a great success, and very crowded. He thanked all volunteers that make it happen, the Police Department, DPW, Police Reserves, Recreation.

4) Tie Contest

Mayor Birkner remarked on the appropriateness of all the Jerry Garcia Christmas ties being worn by Councilmembers for the Christmas Tie Contest, since 2015 is the 50th anniversary of the Greatful Dead. Mayor Birkner waxed poetic about the group and emphasized the Dead's charitable work.

Mayor Birkner wished everyone a Merry Christmas.

B) Engineer's Report

1) Biweekly Report

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

2) Vivian Avenue (Emerson) Drainage

Dr. Boswell reviewed the conceptual plan to address drainage issues on Vivan Avenue in Emerson that cause flooding in Westwood. Emerson has applied for a \$300,000 grant from the DOT for phase 1 of the project. They need a letter of support from Westwood, which Mayor Birkner said he would supply.

Dr. Boswell noted that they need a rain event to accurately gauge the volume of water and size of pipe.

C) Council Liaison & Committee Reports

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

a) Rain Garden at Borough Hall

Councilmember Grefrath reviewed the scope of the rain garden project that the Environmental Committee is suggesting for the Borough Hall lawn. They are looking to contract with Rutgers to design the garden at a cost of \$1150. Councilmember Montana asked if there is a grant associated with the project. Councilmember Grefrath said currently the money is in the budget. There is a grant for another garden at Girl Scout Park that perhaps could be utilized for this.

Resolution #15 - 276: Encouraging the Environmental Committee to Create a Rain Garden at Borough Hall

Motion to adopt Resolution #15- 276: Councilmember Grefrath Second: Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Dell - Yes Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes Council President Arroyo – Yes

2) Library:

Councilmember Dell advised that the Library is reconfiguring its space with its own funding to make better use of office space to create a study lounge. Librarian Martha Urbiel is a proctor and is helping students with testing.

The annual Green Screen will be held in March.

After careful deliberation, Councilmember Dell declared Mr. Huntington and his Jerry Garcia tie the winner of the Christmas Tie Contest.

3) Health and Recreation:

a) Senior Citizen Breakfast

Councilmember Montana thanked Mayor Birkner for the successful senior breakfast. It was very well done, casual, and a great environment to share ideas. Meals on Wheels was included, since they have officially received the planning grant for an age-friendly infrastructure, and are off and running on the planning process. Councilmember Montana believes the information from the breakfast will be very valuable. The Meals on Wheels grantsperson will have the compiled feedback to the Mayor by the end of the week.

b) Shade Tree Update

Councilmember Montana said the Environmental Committee had asked for \$150 from the Shade Tree trust for the rain garden. Councilmember Montana wanted to note that Shade Tree has funded similar things in the past. He believes it is a good use of shade tree funds, and in keeping historically.

c) Board of Health Update

The Board of Health did not meet due to lack of quorum.

d) Recreation Update

Councilmember Montana reviewed the delay in the gym lighting project due to the engineer's unavailability. The Construction Official has determined that an engineer is not actually necessary, so the project will move forward.

Councilmember Montana thanked everyone for a fantastic first year.

4) Land Use:

a) Land Use Board Updates

Councilmember Bicocchi reported that the Zoning Board held a special meeting and approved the Westgate application. He thanked the Zoning Board for their time.

The Planning Board met and approved work on the old Gap building.

The former CVS building renovations are just about complete. ETD and Goodyear are up and running on Kinderkamack Road.

Councilmember Bicocchi wished everyone happy holidays, Merry Christmas and a Happy New Year.

5) Police and OEM:

a) Parking Ordinance

Council President Arroyo pointed out the ordinance for adoption that will eliminate commuter parking from 7-8:30 am in the Center Ave lot.

b) Holiday Decorations, Menorah Lighting

Council President Arroyo commended Johnson Brothers for doing a great job with decorating the avenue for Home for the Holidays. He suggested purchasing snowflakes for next year for the utility poles.

Council President Arroyo reflected that the Menorah Lighting was a beautiful night. He complimented Councilmember Grefrath on his spirited rendition of Dredle, Dredle.

Council President Arroyo thanked his colleagues for selecting him to be Council President for 2015.

6) Public Properties:

No report.

D) Attorney's Report

Mr. Huntington thanked everyone for the privilege of serving and wished everyone a happy holiday.

E) Administrator's / Clerk's Report

1) RFP/RFQ Responses

Mr. Kezmarsky advised that the RFPs/RFQs are opened and being processed.

2) 2016 Budget

Mr. Kezmarsky stated the departmental budget review has begun.

3) Shared Senior Van

Mr. Kezmarsky reported that Hillsdale is using the Borough's senior van on Fridays, and are thankful for the shared service.

Mr. Kezmarsky thanked everyone and said it has been honor to work in Westwood. He hopes to continue the positive progress in 2016.

11. Agenda/Public Forum:

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

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

Joe Letizia, 21 James Street – thanked the Governing Body for supporting the Vivian Road project. If it is version he is familiar with, Mr. Letizia said the plan is for a pipe to cut across his property and he is very open to easements. Mayor Birkner thanked him for his continued presence, ongoing efforts and assistance.

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

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

12. Ordinances of First & Final Reading:

Ordinances for Adoption

15-27 An Ordinance to Amend Chapter 237 Parking Lots, Municipal

BE IT RESOLVED that Ordinance #15-27 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: Council President Arroyo Second: Councilmember 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: Council President Arroyo Second: Councilmember Owens

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

BE IT RESOLVED that an Ordinance known as #15-27 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 Arroyo Second: Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Yes

Councilmember Dell – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes

15-28 An Ordinance to Amend Article XIV, Chapter 195, Zoning, Chapter 128 Cemetery District

BE IT RESOLVED that Ordinance #15-28 entitled “An Ordinance to Amend Article XIV, Chapter 195, Zoning, Chapter 128 Cemetery District” having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember 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: Councilmember Bicocchi 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 #15-28 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 Bicocchi Second: Council President Arroyo

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Yes

Councilmember Dell – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes

13. 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 j and k were added at this time. Resolution d was revised.

Resolutions as Consent Agenda:

a) **Resolution #15 - 277: Bill List & Statement of Cash**

b) **Resolution #15 - 278: Authorizing Refund of Taxes, B 701 L13, Revising Resolution 15-267**

c) **Resolution #15 - 279: Authorizing Refund of Taxes B1007 L8**

d) **Resolution #15 - 280: 2015 Budget Transfers REVISED**

e) **Resolution #15 - 281: Authorizing the Initiation of the Process to Vacate a Portion of Hegeman Avenue**

f) **Resolution #15 - 282: CDL Agreement 2016**

g) **Resolution #15 - 283: Accepting Retirement**

h) **Resolution #15 - 284: Approval of Maureen Wolfe & Pat Maul Request to Consume Alcoholic Beverages on Public Property for a Family Party**

i) **Resolution #15 - 285: Approval of Tom Offerjost of Westwood Community Band Request to Consume Alcoholic Beverages on Public Property for a New Year’s Eve Party**

j) **Resolution #15 - 286: Hiring of Parking Authority Enforcement Officer**

k) **Resolution #15 - 287: Chapter 159 - Federal Ballistic Grant Fund**

Motion to adopt resolutions #15-277 through #15-286: Councilmember Grefrath

Second: Councilmember Bicocchi

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

Mayor Birkner thanked the Governing Body, Mr. Huntington, Mr. Kezmarsky and Mrs. Hughes for a challenging, wonderful 2015. Much was accomplished. He thanked the residents for supporting the Governing Body. Mayor Birkner noted he is completing his 8th year, and congratulated Council President Arroyo and Councilmember Grefrath for their reelection.

14. Adjournment:

Motion to adjourn: Councilmember Bicocchi Second: Councilmember Owens

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

The time was 9:06 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk