

BOROUGH OF WESTWOOD
WORK MEETING OF THE MAYOR & COUNCIL
MAY 3, 2016 AGENDA
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 – Present
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 - 124: Executive Closed Session

Motion to adopt Resolution #16- 124: Council President Bicocchi Second: Councilmember Dell
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: Councilmember Arroyo Second: Council President Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:10 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 Boswell – Present / Borough Clerk
Hughes - Present

6. Flag Salute

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

7. Reports of Committees and Officials:

A) Mayor's Report

1) Senior Advocacy Panel Discussion

Mayor Birkner reported on his participation in a County panel on senior citizen advocacy. Subsequently he spoke to Eleanor Frankel of the Westwood For All Ages grant about forming a Senior

Citizen Advisory Committee in Westwood. Mayor Birkner asked Mr. Huntington if it can be established by resolution or requires an ordinance. Mr. Huntington said it can be done by resolution but an ordinance makes it more permanent.

2) Ben Strong

Mayor Birkner welcomed the Borough Administrator back from his cancer treatment. He told Mr. Kezmarsky that the Borough supports him 100% and will remain Ben Strong. Mr. Kezmarsky thanked the Governing Body.

B) Engineer's Report

1) Biweekly Report

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

2) Landfill Monitoring

Councilmember Arroyo asked if the DEP has agreed to accept the phase-in plan for the landfill monitoring system. Dr. Boswell is cautiously optimistic that the Borough will be allowed to implement Phase 1 and monitor those results before going any further. Councilmember Arroyo reminded Dr. Boswell that at the conclusion there will be real numbers charted showing the diminution that will determine the end of the monitoring. Dr. Boswell agreed.

3) 2016 Road Program

Dr. Boswell advised that the first three streets on the road repaving list are in the worst condition. After that they are all about equal and could be mixed and matched based on funding. Mr. Kezmarsky asked for the current asphalt cost. Dr. Boswell will get that to him.

4) Mill and Eighth Drainage

Mayor Birkner asked Dr. Boswell about the drainage issue at Mill and Eighth. Dr. Boswell is waiting for authorization. Mayor Birkner advocated serious consideration to making the correction since the fault doesn't lie with the homeowner. Dr. Boswell said there is a topography issue. Mayor Birkner wondered if the inlets are planned for the exact correct locations. Dr. Boswell said they would be placed at the low point as interceptors. Councilmember Arroyo noted that the handicapped ramps may have exacerbated existing conditions. Dr. Boswell explained how the ramps did exacerbate the situation, and while flooding was a consideration there was nowhere else to place them. Councilmember Owens observed that most of the flooding is in the back yard. Dr. Boswell said the Borough's work won't solve the back yard problem, but the homeowner can tie into the drains.

5) Vivian Ave/Emerson Drainage Project

Mayor Birkner said in his preliminary discussion with Emerson on solving the Vivian Avenue drainage problems that cause flooding in Westwood, Emerson is looking for Westwood to spend money to correct their problem. Dr. Boswell confirmed. Mayor Birkner said he let them know that while personally he has no reluctance to provide easements or allow work within Westwood, he does have a problem with spending money to correct their deficiency. Councilmember Montana wanted to make sure that any impact downstream is identified. Dr. Boswell said they are looking at the entire system.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Borough Administrator

Councilmember Montana jokingly noted that the Borough Administrator job description needed to specify that any personal photographing should include Westwood swag, since the hospital photos only showed Montvale items. He thanked Recreation, the High School sports department, the Fire Department, the DPW, the Borough Clerk, and the Governing Body for providing Westwood attire and accoutrements for the Borough Administrator. Mr. Kezmarsky said he will prominently display the Westwood items going forward. Councilmember Montana emphasized that Mr. Kezmarsky is part of the Westwood family.

b) Budget Hearing

i) Hearing on Introduced 2016 Municipal Budget

Councilmember Montana: Tonight we are holding the hearing on the Boroughs 2016 Municipal Budget. The adoption of the final budget will occur at the May 17th meeting of Mayor and council.

As the finance chair before me has said “The Mayor and Council cannot lower taxes, cannot lower past debt, not borrow from surplus, and at the same time, maintain services to residents”. So like in 2015, the 2016 budget comes with some tough decisions. Outside of statutory funding obligations for the Public Library and our Health Department, all departments shared in receiving lower funding levels than originally requested.

The total budget introduced for 2016 is \$18,279,581, an increase of \$473,132 over 2015’s budget of \$17,806,449. A 2.6% increase.

There are many key drivers behind this years budget challenges, and summed as follows:

- Declining Revenues: \$291M lower then 2015
- Increasing Expenses: \$469M increase over 2015

To summarize, the total increase in appropriations and decrease in revenues resulted in a total municipal tax levy increase of approximately \$587,339 -- from \$14,233,683 in 2015 to \$14,821,022 in 2016. This translates into a municipal tax rate increase from \$0.817 in 2015 to \$0.847 in 2016, or an increase of \$118 which breaks down to \$114 municipal and \$4 library, on an average home assessed at \$387,000. This increase includes the funding of the library, which continues to be above the state mandated minimum amount by approximately \$51,788. Please keep in mind that this budget represents only the municipal portion of your tax bill.

Excluding state mandated, contractual, and legal obligations, your finance committee, Borough Department Heads, Mayor and Council have concentrated on providing a very lean budget in an effort to limit the overall tax impacts to its residents.

Holding the line on services, coupled with rising expenses beyond our control, dwindling revenues and increased debt services, does come with a price tag of a \$114 municipal tax increase as mentioned earlier. To that point, the Finance committee will begin the 2017 budgeting process in June 2016 allowing ample time to present recommendations to the Governing Body well in advance of calendar year 2017. This level of advance planning will allow us to more proactively manage the boroughs finances. Additionally, this Governing Body is putting a stake in the ground to limit borrowing in 2016 at \$1.4MM. The total debt the borough will pay down in 2016 is \$1.7MM, this cap allows us to lower our debt by \$300M in 2016. Our intention is to continue capping capital borrowing well in advance of the debt being retired, focusing on priorities and setting the Borough on a path to reducing our debt and the

yearly burden of servicing this debt against our annual budget. Short-term and long-term, borough tax payers should benefit.

We as a governing body believe this budget, our vision for future planning of the budget and a vision for capital bonding that reduces debt lay a solid fiscal foundation for Westwood today and for years to come.

I once again would like to thank all of the people who have played important roles in developing this challenging budget, they include:

- Our Finance team of Durene Ayer, Stephanie Stokes and Gloria Seidel.
- Our Finance Committee that included Mayor John Birkner, Councilman Chris Owens, Borough Administrator Ben Kezmarsky, and CFO Durene Ayer.
- Gary Vinci and his team of Auditors at Lerch, Vinci and Higgins.
- The Department Heads and municipal staff who towed the line and made some very informed and necessary budget reductions within their groups.
- And the entire governing body, who was called upon several times to meet for our annual line-by-line budget review.

CFO Durene Ayer and Borough Auditor Gary Vinci presented a Power Point slide show on the 2016 Municipal Budget.

Councilmember Montana noted that the budget adoption would occur on May 17th.

Motion to Open Hearing on 2016 Budget: Councilmember Montana Second: Councilmember Grefrath

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

No one wished to be heard.

Motion to Close Hearing on 2016 Budget: Councilmember Owens Second: Council President Bicocchi

**ii) Ordinance #16-9: An Ordinance to Exceed the Municipal Budget
Appropriation Limits to Establish a Cap Bank**

BE IT RESOLVED that Ordinance #16-9 entitled “An Ordinance to Exceed the Municipal Budget Appropriation Limits to Establish a Cap Bank” having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Montana 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 Montana 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 #16-9 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 – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

c) Audit Update

Councilmember Montana advised that the annual audit report would be released in the next few weeks.

d) Arbor Day Tree Planting in Veterans Park

Councilmember Montana explained that due to soil disturbance permit requirements, the Arbor Day tree could not be planted in Westvale Park. Instead it was planted in Veterans Park.

2) Fire and Ambulance; Shared Services:

a) Fire Department Update

Councilmember Grefrath announced that delivery of the new fire apparatus is scheduled for Saturday, May 1. The noted that there are nine warranties of various types of the engine. The wetdown location is yet to be selected but the date is Saturday, August 13th.

b) Shared Services

Councilmember Grefrath advised that the next shared services meeting will be May 23rd.

3) Health and Recreation:

a) Recreation Update

Council President Bicocchi announced that the Recreation summer camp registration has begun. The new donated scoreboards for the Community Center gym will be installed in the next two weeks.

b) Health Department Update

Council President Bicocchi advised that the Health Director has taken Zika training courses.

c) Westwood Resident Making A Difference

Council President Bicocchi commented that Westwood resident Barbara Tobiassen has just returned from Guyana where she assisted deprived children by educating and helping to build schools. She is an example of how Westwood residents are making a difference.

4) Land Use:

a) Historic Preservation Commission

Councilmember Dell reported that the Historic Preservation Commission is debating the need for its own attorney. Several members attended a training session at Rutgers and learned that many other commissions have their own attorney. They would like to review the ordinance with an attorney. Their next meeting is May 11th.

b) Creative Team

Councilmember Dell announced that the first Creative Team meeting will be held on May 19th at the hospital.

c) Library Update

The library is sponsoring a Literary Volunteers International party on May 18th at the Community Center.

d) Town Wide Garage Sale

Councilmember Dell suggested a town-wide garage sale in the fall. Hillsdale is willing to coordinate with Westwood's date. Participants would pay \$10 go get on a map and list. Hillsdale gets about 20 participants. They make the map available on their website and at Borough offices. Councilmember Dell said it would be a chance to clean out the house, fill your wallet, and shop.

e) Westwood Organization Making a Difference

Councilmember Dell said she attended the New Hope Gala last Wednesday along with Councilmember Arroyo and Council President Bicocchi. New Hope is a new organization on Third Street with a mission to assist single first time mothers. Councilmember Dell said it's nice to know what some people in Westwood are doing to positively impact Westwood and beyond.

5) Police and OEM:

a) Police Update

Councilmember Arroyo reviewed the PBA contract negotiations process. He noted that the final contract document is on the consent agenda for ratification by the Governing Body.

6) Public Properties:

a) Train Station Monitoring

Councilmember Owens explained that the Heritage Society has received a request for a copy of the video recorded by the cameras at the train station, since they are headquartered there. Councilmember Arroyo and Mayor Birkner both noted that an attorney request should be directed to the Clerk. Councilmember Owens will get further details from the Heritage Society on whose monitoring equipment it is. Councilmember Arroyo said the Police Committee will discuss where the responsibility lies for reviewing tapes.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

Mr. Kezmarsky said he his happy to be back at work. He thanked everyone for all their support and for making him part of the Westwood family.

8. 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.

Neil Volant, Bryant Place - complimented the Finance team for the budget presentation. Mr. Volant

informed that cameras were installed at the train station due to ongoing vandalism.

Representing the Taxpayers Alliance and the Chamber of Commerce, Mr. Volant discussed the issues and concerns with parking in the downtown and presented potential solutions. He suggested a committee to deal with the downtown issues comprised of the Council liaison, a Parking Authority board member, a Parking Authority employee, a TPA trustee and a Chamber trustee.

Councilmember Arroyo noted that the Walker traffic study agrees with the suggestions the TPA and Chamber are making. The question is putting specifics together to implement them, which is where the committee idea comes in.

Joe Letizia, 21 James Street - glad to see the flooding issue in his neighborhood is being addressed. Mr. Letizia said the issue does cross municipal boundaries. He is open to discuss easements on his property. He urged collaboration and hopes the spirit of cooperation will continue. Mayor Birkner said he advocates on Mr. Letizia's behalf to continue cooperation with Emerson. Westwood recognizes it is a serious problem for which there is a solution available, and is working towards it, but the government process is slow. Mr. Letizia thanked the Governing Body for the appointment to the Parking Authority.

Motion to close Agenda/Public Forum: Councilmember Owens Second: Councilmember Dell
Voice Vote: A voice vote was taken with all present voting in the affirmative.

9. Ordinances on First & Final Reading:

Ordinances for Introduction

16-12 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Fire Prevention Department And Related Expenses And Appropriating \$33,000 Therefor From The Borough's Fire Prevention Penalty And Code Compliance Funds

BE IT RESOLVED that Ordinance #16-12 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Fire Prevention Department And Related Expenses And Appropriating \$33,000 Therefor From The Borough's Fire Prevention Penalty And Code Compliance Funds" is hereby introduced by title; and **BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a May 17, 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

16-13 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Construction Code Department And Related Expenses And Appropriating \$29,000 Therefor From The Borough's Construction Code Compliance Fund

BE IT RESOLVED that Ordinance #16-13 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Construction Code Department And Related Expenses And Appropriating \$29,000 Therefor From The

Borough's Construction Code Compliance Fund" is hereby introduced by title; and
BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a May 17, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Dell 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

Ordinances for Adoption

16-10 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For A Special Emergency Appropriation Of \$50,000 For The Preparation Of A Master Plan

BE IT RESOLVED that Ordinance #16-10 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For A Special Emergency Appropriation Of \$50,000 For The Preparation Of A Master Plan" having hereby been read by title, shall have a hearing held on this date.

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

BE IT RESOLVED that an Ordinance known as #16-10 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 Dell 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

16-11 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For A Special Emergency Appropriation Of \$150,000 For The Payment Of Contractually Required Severance Liabilities Resulting From Retirement Of Borough Employees

BE IT RESOLVED that Ordinance #16-11 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For A Special Emergency Appropriation Of \$150,000 For The Payment Of Contractually Required Severance Liabilities Resulting From Retirement Of Borough Employees" 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: Councilmember Owens
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #16-11 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: Councilmember Dell

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

10. 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 g through j were added at this time.

Resolutions as Consent Agenda:

- a) Resolution #16 - 125: Bill List & Statement of Cash
- b) Resolution #16 - 126: Cancellation of Capital Ordinance Balance
- c) Resolution #16 - 127: Westwood Volunteer Fire Department - Matters of Personnel
- d) Resolution #16 - 128: Authorizing Disposal of Surplus Property by Online Auction
- e) Resolution #16 - 129: Street Closure - Westwood Heritage Society
- f) Resolution #16 - 130: 2016-2017 Limo License Renewal - Alan's Limo Inc.
- g) Resolution #16 - 131: Approving the Collective Bargaining Agreement Between the Borough of Westwood and the New Jersey Policemen's Benevolent Association, Local 206 (Westwood Unit) for the period January 1, 2015 through December 31, 2018
- h) Resolution #16 - 132: Temporary Capital Budget Amendment #2
- i) Resolution #16 - 133: Authorizing Health and Dental Benefits for Dispatcher
- j) Resolution #16 - 134: Establishing a Senior Citizens Advisory Committee

Motion to adopt resolutions #16-125 through #16-134: 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

11. Adjournment:

Motion to adjourn: Councilmember Owens Second: Councilmember Dell

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

The time was 9:47 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk