

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
AUGUST 20, 2019 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
8:00 pm Public Session**

1. Opening of the Meeting:

The 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 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 Collins – Present
Councilmember Montana – Present
Councilmember Bilocchi – Present
Councilmember Dell – Present
Councilmember Murphy – Present
Council President Arroyo - Present
Borough Attorney Doyle – Present
Borough Administrator Kezmarsky – Present
Borough Engineer Senkevich - Present
Borough Clerk Hughes – Present

Committee Assignments:

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

3. Flag Salute

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

4. Approval of Minutes: July 16, 2019

Motion to Approve July 16, 2019 Minutes: Councilmember Dell Second: Councilmember Collins

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
 Councilmember Bilocchi – Yes Councilmember Dell - Yes
 Councilmember Murphy – Yes Council President Arroyo – Yes

5. Resolution #19 - 216: Hire of Special Officers

Motion to Approve Resolution #19-216: Councilmember Bilocchi Second: Council President Arroyo

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
 Councilmember Bilocchi – Yes Councilmember Dell - Yes
 Councilmember Murphy – Yes Council President Arroyo – Yes

Mayor Birkner administered the Oaths of Office to Valerie Guglielmotti and Kimberly Pane. Chief Pontillo presented their badges and explained their qualifications, which includes experience with school security.

6. Reports of Committees and Officials:

A) Mayor's Report

1) New Police Hires

Mayor Birkner noted the new Specials are a great addition to the Police Department. Security in the schools is quite important, and the Governing Body applauds the Police for selecting these

individuals who have such experience.

2) Flooding Report

Mayor Birkner reviewed the reservoir and stream levels, which are currently in summer mode and below normal.

3) Cultural Arts Advisory Board

Mayor Birkner has been researching a Cultural Arts Advisory Board to promote visual and performing arts as an offshoot of the Master Plan Reexamination. He referenced Café Anello's upcoming event showcasing a local opera and culinary group as an example. He will have information at the next meeting for review.

4) Sand Road Crosswalk

Mayor Birkner advised that the new markings have been installed at the Sand Road crosswalks. Since residents are complaining that there is still speeding, he suggested to the Chief that the movable speed sign be relocated there temporarily at some point. Mayor Birkner said a resident asked if a crosswalk can be installed from the parking lot to the church on Sand Road. Mr. Ascolese said the Borough would have to establish a mid block crosswalk by ordinance and ban parking within 25 feet of it.

5) Mill Street Project

Mayor Birkner asked for a timeline for the Mill Street drainage and curbing. Mr. Senkevich said it's about a month and a half away from awarding the project. He is hoping PSEG will wait until spring to pave. Mayor Birkner said that may be but he wants to work with PSEG as a reciprocal using the grant money. Mr. Senkevich agreed and reviewed the ways it can be done.

6) Old Hook Road Sidewalk Project

Mayor Birkner asked for a timeline for the Old Hook Road sidewalk replacement project. Mr. Senkevich said they haven't prepared their proposal yet since they are awaiting an environmental answer.

7) Safe Routes to Schools Project

Mayor Birkner asked for a timeline for the Safe Routes to Schools project. Mr. Senkevich said the grant is less than the estimates so there will need to be discussion to modify the scope of the project.

8) 95 Sand Road

Mayor Birkner asked when the Sand Road property will be transferred to Habitat for Humanity. Mr. Kezmarsky said the survey is completed and the pit is filled in. Mr. Doyle will look into the legal paperwork status. Mayor Birkner explained to the audience that the donation of the land will result in a single family Habitat home for a disabled veteran. Council President Arroyo noted it satisfies the affordable housing requirement. Mayor Birkner thanked Mr. Huntington and Mr. Snieckus for their work on the projects.

B) Council President's Report

No report.

C) Engineer's Report

1) Biweekly Report

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

2) DEP Meeting on Landfill

Mr. Senkevich said the DEP has asked for the closure of the uncapped areas to proceed. Councilmember Montana asked if this is a remediation or an ongoing process from the overall project. Mr. Senkevich wasn't at the meeting but believes it's related to additional venting. Councilmember Montana asked for more information at the work session for financial planning purposes.

D) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects: CM

a) HART Program

Councilmember Montana reported that the new Prosecutor has been brought up to speed on the HART program and the County expects to have their plan in place in early September. Meanwhile the Borough is working with the Center for Alcohol and Drug Resource on implementing that portion of the plan. Mayor Birkner noted that there was another overdose death in Westwood last week. He said the Alumni in Recovery will hold an information session on September 9th from 7-9 pm at the Library.

b) Walkable Westwood

Councilmember Montana reviewed the locations for the movable speed sign, and explained the program to the audience. He urged residents to report any locations of concern to the Police so they can determine if a sign should be placed.

2) Fire and Ambulance: RB

a) Fire Department

Councilmember Bicocchi reviewed the fire report for July.

b) Senior Advisory Committee

The Senior Advisory Committee redefined their goals at the July meeting.

c) Ambulance Corps

Councilmember Bicocchi congratulated the Ambulance Corps on another successful carnival. They held their annual EMS picnic last Saturday.

Councilmember Bicocchi wished the baseball team good luck at Cooperstown.

3) Health and Recreation: BD

a) Recreation

Councilmember Dell reviewed the summer Recreation programs.

b) Stigma Free Committee

Councilmember Dell announced a Stigma Free Committee meeting on Monday, September 9th, with a special guest who is the Stigma Free coordinator for the County and a mental health doctor. She said the Alumni in Recovery group is outstanding but unfortunately at the same time as the Stigma Free meeting. She would like to work on coordinating events in the future so they

don't compete.

c) 9/11 Candlelight Service

Councilmember Dell reminded everyone of the 9/11 Candlelight Service at 8:00 pm in Veteran's Park.

d) Board of Health

Councilmember Dell reported that the Board of Health cancelled its August meeting but will be back in September. There is another babysitting clinic on September 26th.

e) Library

The Taste of Westwood event has been rescheduled to October 6th to avoid conflict with Rosh Hashanah.

f) Celebrate Westwood

Councilmember Dell said the Celebrate Westwood Committee is still accepting quilt squares until August 30th. There are still a few events planned through the end of the year.

4) Land Use: EC

a) Heritage Society

Councilmember Collins reported that this Sunday is the annual Heritage Society Antiques and Crafts in the Park.

b) Historic Preservation Commission

Councilmember Collins announced that the HPC is looking for members.

c) Land Use

The Planning Board will meet on August 22nd and the Zoning Board will next meet on September 9th at 7:30.

5) Police and OEM; Shared Services: RA

a) Van Buren Ave Dead End

Council President Arroyo discussed the options and costs for creating a dead end on Van Buren at Carver. After a discussion on plantings, curbing and drainage, Councilmember Montana said he would prefer a more natural hard and softscape and requested a plan from the DPW Superintendent. Council President Arroyo said Mr. Woods prefers curbs. He wasn't keen on using boulders to create a barrier due to plowing and salting concerns. Council President Arroyo asked Councilmember Murphy to get a report from Mr. Woods for the September meeting.

6) Public Properties: JM

a) DPW

Councilmember Murphy advised that the DPW has painted the front of Borough Hall and is almost done repainting yellow curbs.

b) Shade Tree Committee

Councilmember Murphy said the Shade Tree Committee will be meeting soon, and will be issuing a press release about shade tree availability.

c) Green Team Resolution

Councilmember Murphy reported that the Sustainable Jersey application requires an updated Green Team resolution in order to get credit for that action. The Green Team is a mandatory requirement for recertification. The resolution revises the 2010 resolution but does not identify the members of the team by name. Councilmember Montana noted that this is not changing responsibilities of the team. Councilmember Murphy confirmed that it is no different than what already exists, it's just a required update for Sustainable Jersey.

d) Alumni in Recovery

Councilmember Murphy gave details on the Alumni in Recovery meeting on September 9th, and also announced their remembrance walk on October 27th.

E) Attorney's Report

No report.

F) Administrator's / Clerk's Report

No report.

7. Agenda/Public Forum:

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

MaryEllen Yale, 57 Lowell Street – wanted to discuss Ordinance 19-11. Mayor Birkner pointed out that the upcoming ordinance hearing would be the appropriate time.

Gary Conkling, 416 Kinderkamack Road – suggested that someone make a motion tonight to outlaw short term rentals since the Planning Board seems to be going nowhere with it. Mr. Conkling said he's heard that the substandard housing committee is no longer in place and asked if existing rules are not being enforced.

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.

8. Ordinance for Introduction and Adoption

Ordinances for Introduction:

19-16 An Ordinance to Revise Chapter 157 – FILMING

BE IT RESOLVED that Ordinance #19-16 entitled “An Ordinance to Revise Chapter 157 – FILMING” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a September 17, 2019 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Collins Second: Councilmember Dell

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
Councilmember Bicocchi – Yes Councilmember Dell - Yes
Councilmember Murphy – Yes Council President Arroyo – Yes

19-17 Capital Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Authorizing The Acquisition Of A Voice Recording System For The Police Dispatch Center In, By And For The Borough, Appropriating Therefor The Sum Of \$12,500 And Providing That Such Sum So Appropriated Shall Be Raised From Capital Surplus Of The Borough

BE IT RESOLVED that Ordinance #19-17 entitled “Capital Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Authorizing The Acquisition Of A Voice Recording System For The Police Dispatch Center In, By And For The Borough, Appropriating Therefor The Sum Of \$12,500 And Providing That Such Sum So Appropriated Shall Be Raised From Capital Surplus Of The Borough” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a September 17, 2019 hearing date in the official newspaper according to law.

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

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
Councilmember Bicocchi – Yes Councilmember Dell - Yes
Councilmember Murphy – Yes Council President Arroyo – Yes

Ordinances for Adoption:

19-11 An Ordinance to Amend Chapter 375 Vehicles and Traffic To Codify Traffic and Parking Changes In The Area Of Berkeley School

BE IT RESOLVED that Ordinance #19-11 entitled “An Ordinance to Amend Chapter 375 Vehicles and Traffic To Codify Traffic and Parking Changes In The Area Of Berkeley School” Is hereby amended as follows:

1. Under Paragraph 375-30 Three Hour Zones, specifically Berkeley Avenue North, the sides of the street were backwards in the original ordinance.
2. Under Paragraph 375-30 Three Hour Zones, the three hour zones on Berkeley Avenue North And South will be between the hours of 9:30 am to 2:30 pm.

The amended ordinance, 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:

Mayor Birkner asked Mrs. Hughes to read correspondence related to the ordinance into the record. Mrs. Hughes read correspondence from the following individuals, copies of which are attached hereto:

Vote No:

Darlene Kane, 75 Lowell Street

Christa Brooks, 71 Lowell Street

Jean DeRosa, 153 Lexington Avenue

Janet DeCaux, Berkeley Avenue
Mark Yale, 67 Lowell Street
MaryEllen Yale, 67 Lowell Street
Matthew Yale, 67 Lowell Street
MaryJane McIlveen, 21 Berkeley Ave

Concerned about parking on school blacktop:
Sarah Castronova, Berkeley School Parent

In Favor of Ordinance:
Janet Dunn, 50 Berkeley Avenue

The following individuals urged the Council to vote no on the ordinance. Reasons included concerns about the one way on Berkeley; lack of communication; safety of children; property values; loss of playground blacktop to teacher parking:

MaryEllen Yale, 57 Lowell Street
Jessica Ballester, 186 Lexington Avenue
Eileen Mosolino, 12 Berkeley Avenue
Mark Yale, 67 Lowell Street
Sarah Urscheler, 38 Lester Ave
Donna Lamonica, 160 Harrington Ave
Joanne Ristevski, 98 Harrington Ave
Erin McDevitt, 54 Bryant Place
Molly Clem
John Banks, 104 Kaufman Drive
David Aguavo, 110 Emerson Road
Sandra Aguavo, 110 Emerson Road
Amanda Herman, 18 Hopper Avenue
Francesca Meisten, 58 Kingsbury Avenue

Concerned but in favor of ordinance:
Barbara Tobiason, 78 Berkeley Avenue
Lauren Bolger, 136 Berkeley Avenue
Roseanne Ciarlante, 85 Berkeley Avenue

In addition to the comments, Mrs. Yale presented to the Clerk a copy of a petition against the ordinance that had been provided to the Mayor and Police Department at an earlier date.

Chief Michael Pontillo of the Westwood Police Department – noted that the Police are not in favor of Airbnbs and offered to provide the information he gave to the Planning Board. Chief Pontillo then reviewed the reasoning and process behind the ordinance. He addressed the various concerns presented by the residents.

Mayor Birkner thanked Chief Pontillo. He asked Councilmember Collins to review the number of meetings that were held seeking input on the ordinance. Mayor Birkner addressed the blacktop parking, which was a decision by the school district. He would like to explore parking for the teachers on Harrington Avenue and requested that portion of the ordinance not be adopted.

Additional comments about the ordinance were given by:

Lauren Bolger, 136 Berkeley Avenue
Iris Pereria, 167 Lexington Avenue
Erica Goldman, 175 Lexington Avenue
Andrea Gerstmeyer, 45 Kinderkamack Road
Vivian Makula, 41 Kingsberry Lane
Mary Jane McIlveen, 21 Berkeley Avenue (letter read by Mrs. Yale)
Mark Yale, 57 Lowell Street
Joanne Ristevski, 98 Harrington Avenue

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

Council President Arroyo suggested language about parking on Lexington on Saturdays could be stricken. Chief Pontillo said Lexington would be a secondary phase. There was discussion on how long implementation would take.

BE IT RESOLVED that an Ordinance known as #19-11 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: Council President Arroyo Second: Councilmember Collins

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
Councilmember Bicocchi – Yes Councilmember Dell - Yes
Councilmember Murphy – Yes Council President Arroyo – Yes

19-14 Bond Ordinance To Authorize The Refurbishing Of The Hegeman Park Basketball Courts In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$130,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds

BE IT RESOLVED that Ordinance #19-14 entitled “Bond Ordinance To Authorize The Refurbishing Of The Hegeman Park Basketball Courts In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$130,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds” having hereby been read by title, shall have a hearing held on this date.

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

BE IT RESOLVED that an Ordinance known as #19-14 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 Arroyo
Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
Councilmember Bicocchi – Yes Councilmember Dell - Yes
Councilmember Murphy – Yes Council President Arroyo – Yes

19-15 An Ordinance To Amend The Schedule Of Salaries, Wages And Compensation Of The Public Officials, Officers And Employees Of The Borough Of Westwood

BE IT RESOLVED that Ordinance #19-15 entitled “An Ordinance To Amend The Schedule Of Salaries, Wages And Compensation Of The Public Officials, Officers And Employees Of The Borough Of Westwood” having hereby been read by title, shall have a hearing held on this date.

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

BE IT RESOLVED that an Ordinance known as #19-15 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 Bicocchi
Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
Councilmember Bicocchi – Yes Councilmember Dell - Yes
Councilmember Murphy – Yes Council President Arroyo – Yes

9. Presentation of Bills, Financial Reports and Resolutions:

Councilmember Dell asked if there were any resolutions to add to the Consent Agenda. She 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 q was added at this time. Council President Arroyo removed resolution j for future discussion.

Resolutions as Consent Agenda:

- a) Resolution #19 - 217: Bill List & Statement of Cash
- b) Resolution #19 - 218: Certification of Annual Audit
- c) Resolution #19 - 219: 2018 Audit Corrective Action Plan
- d) Resolution #19 - 220: Authorizing Refund of Taxes – 38 Woodcliff Avenue B 1107 L 9
- e) Resolution #19 - 221: Authorizing Refund of Taxes – 49 Newark Ave B211 L3
- f) Resolution #19 - 222: Authorizing Refund of Taxes – 361 Fourth Ave B1008 L7
- g) Resolution #19 - 223: Authorizing Refund of Taxes – 459 Kinderkamack Rd B710 L14
- h) Resolution #19 - 224: Authorizing Traffic Engineering
- i) Resolution #19 - 225: Authorization To Bid The Collection and Disposal Of Solid Waste
- ~~j) Resolution #19 - 225: Supporting the New Jersey State League of Municipalities² Petition for Rulemaking to Amend the Uniform Construction Code~~
- k) Resolution #19 - 226: Recognizing the Bergen County American Legion Centennial
- l) Resolution #19 - 227: Place to Place Liquor License Transfer – Chase Spirits Westwood t/a Super Cellars

- m) Resolution #19 - 228: Authorization to Bid Security Cameras
- n) Resolution #19 - 229: Re-establish The Green Team
- o) Resolution #19 - 230: Reject and Rebid Cooperative Paving
- p) Resolution #19 - 231: Authorizing Hire of Property Maintenance Official
- q) Resolution #19 - 232: Authorizing Implementation of Private Fiber Optic Network on State Contract

Motion to adopt resolutions #19-217 through #19-232: Councilmember Dell

Second: Council President Arroyo

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes

 Councilmember Biccocchi – Yes Councilmember Dell - Yes

 Councilmember Murphy – Yes Council President Arroyo – Yes

10. Adjournment:

Motion to adjourn: Councilmember Biccocchi Second: Councilmember Collins

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

The time was 11:12 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk