

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
JUNE 21, 2016 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 Grefrath – Present
Councilmember Dell - Present
Councilmember Arroyo – Present
Council President Bicocchi - Present
Borough Attorney Huntington – Present
Borough Administrator Kezmarsky - Absent
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 - 153: Executive Closed Session

Motion to adopt Resolution #16- 153: Councilmember Arroyo Second: Councilmember Owens

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 7:57 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 - Absent / Borough Attorney Huntington – Present / Borough Engineer Senkevich – Present / Borough Clerk Hughes - Present

6. Flag Salute

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

7. Approval of Minutes: May 3, 2016

Motion to Adopt Minutes of May 3, 2016: Councilmember Grefrath Second: Councilmember Owens

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

8. Westwood Baseball 8U Travel Team Championship Certificates

9. Land Conservancy Presentation

Barbara Heskins Davis of the Land Conservancy of New Jersey, Adam Strobel of the County Division of Open Space, and Tekla Courtney of Rutgers Cooperative Extension presented the Flood Acquisition Plan, which is a component of the Bergen County Floodplain Protection Program. A copy is attached. At the conclusion of the presentation Ms. Davis advised that the next step would be to approve the plan.

Mayor Birkner said this has been a project long in the works, with a tremendous amount of effort by all involved. This is a very big positive for the Borough, another step. He noted how difficult it was to go through the land acquisition process already completed. Five properties are done, with the Borough in process of purchasing a sixth. It has taken years to complete, using tremendous manpower and resources. To have this report gives the Borough an advantage as we seek to purchase or remove additional properties out of harms way. The Governing Body has seen the impact of flooding, which has been heartbreaking.

Motion to open the floor for public comment on the report: Councilmember Arroyo Second: Council President Biccocchi

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

Paul McClair, 84 Roosevelt Ave – noted a member of his Scout troop and family were recently affected by flooding. He asked if this would help them. Mayor Birkner said it would absolutely help families affected by chronic flooding.

Joe Letizia, 21 James Street – asked if reclaimed properties have to be dedicated to open space or whether there is precedence for overturning that and returning it to developed property. Adam Stroebel said there is a deed of conservation easement, modeled after FEMA regulations, to keep it open space. In very rare instances it can divert but it is a very arduous process. Purchase property becomes open space and functioning wetlands in perpetuity. Ms. Davis said there are multiple layers of funding that go into this, and each layer adds layer of complexity for diverting the property to another use. Mr. Letizia said he is glad to see that this is going on. He reminded the Governing Body that flooding doesn't always affect people in flood plains.

Jim McClair, 84 Roosevelt Ave – was surprised that Westwood is #2 in being affected by flooding in the county. He asked what #1 and #3 have done, and what are the positive impacts. Mr. Stroebel said Oakland and New Milford are numbers 1 and 3. Oakland is in the process of buying 10 homes along the Ramapo River, and are using County funds. New Milford has used Blue Acres funding, and is looking to move forward with the County.

JayMee Hodges, 40 Second St – commended everyone for a great job. He noted there hasn't been flooding in 2-3 years, but he has experienced and directed operations as a Firefighter, and in his business has been involved in restoration. It's normal to lose Fire Department members after a flooding event due to the heartache they experience. Mr. Hodges commended all for taking a

proactive approach. He is pleased to see it.

Motion to close the floor: Councilmember Montana Second: Councilmember Grefrath
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Councilmember Montana thanked the presentation team and asked how many houses makeup the entire Harding/Stuben area. An area of concern for him are the two houses that would be left because they don't meet the specifications. He asked if there is any way to make it a complete undeveloped area. Ms. Davis said there are 15 homes. This is a conceptual plan to be done in phases that the Borough can grow with. Mr. Strobel explained that the two lots were left in because they were following the letter of definition for Severe Repetitive Loss set by FEMA. The County would not be so rigid and would consider those two houses eligible under County funding and work with the municipality. Mayor Birkner said with FEMA they tried to avoid the jack-o-lantern effect, which ultimately is what happened with the purchases because two highest-loss homes weren't grouped with others.

Mayor Birkner explained that this is a long term plan to identify congruent properties that would develop into those plans. Council President Bicocchi asked the timeline for project like this. Mr. Strobel said it varies, as there are a number of factors. Council President Bicocchi asked if there was a nor'easter like 2007 with this Stuben/Harding area in place, how would it affect Broadway flooding. Ms. Davis said if you do this, the impact would be less in other areas. Mayor Birkner said this becomes a drainage basin. Ms. Davis said the plan creates vernal pools designed to hold water temporarily. Ms. Courtney pointed out that it's a phase process. The concept plan shows how to keep roads in place to handle those properties that don't sell. Councilmember Owens pointed out the drainage ditch at Kmart. He asked if you buy all the properties then do the work, or is there something we can do with land we've purchase so far. The curbs are still there, and the land is high. Can we use county funds to address that now? Can we show the neighbors some relief by making already purchased areas into retention? Ms. Courtney said trying to reduce flooding with one or two properties is unlikely since the whole area is a flood plain. Mayor Birkner said it's an excellent question on what to do with the properties already reclaimed, since the Borough has run out of money. The County Open Space program is an excellent opportunity.

Mayor Birkner emphasized that this plan is not mandatory, and it does not bind the Governing Body to complete it on a timetable. It provides residents an opportunity to be removed from harms way with the benefit of returning properties into a natural buffer. It improves water quality. Is a fluid plan that the Borough has complete control over, including what funding and when to apply. The Borough has already received \$2.5 million for purchasing property which was hard to come by. Mayor Birkner doesn't anticipate a windfall to purchase numerous property. The report is a mechanism to pursue funding and get the ball rolling.

Mr. Huntington read a resolution to approve and accept the flood acquisition plan for future conservation efforts, which does not bind the Governing Body to take action. Councilmember Arroyo asked that it states no action at this time or in the future. Mayor Birkner said it needs to include the inherent benefits of water quality and resident safety. Mr. Huntington revised the resolution accordingly.

Resolution #16 - 154: Approving the Flood Acquisition Plan

Motion to adopt Resolution #16- 154: 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

10. Fire Department Scholarship Presentation

Scholarship Chairman JayMee Hodges announced that the 2016 Fire Department Scholarships are awarded to Kyle Birkner and Alexis Montana.

11. Reports of Committees and Officials:

A) Mayor's Report

1) Sustainable Jersey Update

Mayor Birkner announced that the Borough's Sustainable Jersey initial application for recertification was filed on June 3rd and is being reviewed by the Sustainable Jersey staff. He reviewed the category requirements and explained that the Borough submitted 15 out of 18 categories for a total of 415 points, with a broad and diverse collection of sustainable initiatives such as Animals in the Community, which includes the Westwoof Dog Park; Arts and Culture, which is based around the formation of our Creative Team; the Farmers Market; Recycling, including our recycling center, the shred day this Saturday 6/25, and the Enviro Committee's plastic bag challenge; the Tree Ordinance, and the work the newly reconstituted Shade Tree Committee is doing to revive our forestry plan, and tree maintenance and planting programs; Effective Parking Management; the Prescription Drug Drop Box; the Community Garden and planned rain garden; the Green Purchasing Policy; the Smoke Free/Tobacco Free Public Places; and the Historic Preservation element. Mayor Birkner noted that there are two actions where Westwood is ahead of the Sustainable Jersey curve and will doubtless serve as a model for other communities. The first is Climate Adaptation: Flooding Risk, where the purchasing of flood-prone properties on Harding and Nugent, the participation in FEMA's Community Rating System that will result in a 10% discount on flood insurance for residents in a flood zone effective October 2016, tonight's presentation by the Land Conservancy of a Flood Acquisition Plan that gives the Borough a tool and roadmap for potential future flood mitigation if and when funding becomes available, all put Westwood far beyond the requirements of this Sustainable Jersey action. The second is the Innovative Action: Westwood For All Ages, which allows seniors to stay independent longer and remain in their homes and home town while enjoying quality of life contributes to the 'strong civil society' that Sustainable Jersey advocates, where all ages are able to contribute, learn from each other, and depend on each other. It will build on the existing senior services, such the Westwood House and the Riley Senior Center, the Senior Van, the various over-55 Recreation programs, and the centralized downtown shopping and services. The Westwood For All Ages project will create a framework for other municipalities to follow in future Sustainable Jersey applications. Mayor Birkner emphasized that the Mayor and Council repeatedly and wholeheartedly supports the sustainable efforts undertaken by the Borough's departments and organizations.

2) Flag Ceremony

Mayor Birkner reported on the LGT Pride recognition and flag raising ceremony held at Bergen County Plaza on June 28th, which was particularly meaningful in light of the terrorism in Orlando.

3) Everytown For Gun Safety

Mayor Birkner discussed the organization Everytown For Gun Safety, an organization fighting for gun safety measures while respecting the Second Amendment. Mayors Against Illegal Guns, which Mayor Birkner belongs to, is part of this movement. He reviewed the platform of the organization and the goal of common sense gun laws.

4) Stigma Free Program

Mayor Birkner announced that lawn signs and brochures are available in the downstairs lobby to support Westwood's Stigma Free program, which is designed to take the stigma out of mental illness and substance abuse.

B) Engineer's Report

1) Biweekly Report

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

2) PSE&G Paving

Mr. Senkevich explained that the test borings on the roads paved by PSE&G revealed that 45% of the roads were paved with less than 2 inches of asphalt, but they still meet the DOT standard. Councilmember Owens asked about the concrete bases on Fairview and Center. Mr. Senkevich he doesn't believe the needed cutting and sealing was done. Council President Bicocchi asked if there was any ponding. Mr. Morris doesn't remember any but he will look back. Councilmember Montana asked if there are similar projects in the future whether the Borough can insist on its standard vs the DOT standard. Mr. Huntington said it depends on who is funding the project, because the customer has the right to demand the standards. The Borough could deny work that doesn't meet its standard, and while it would lose in court it would at least get the contractor's attention. Councilmember Montana asked if it's a problem on the partly paved roads. Mr. Morris said it shouldn't be, but the road can be milled evenly. Councilmember Grefrath noted that Boswell has always supported the 2 inches during debates at several meetings.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects: CM

a) Finance Update

Councilmember Montana reported that the audit exit conference was held, and the CFO will prepare a corrective action plan in cooperation with Department Heads for the July 19th meeting. Third quarter estimated tax bills have been issued, with payments due August 1st. The Finance Department is reviewing the Capital Fund in detail to determine if there are any alternative funding options to authorize debt for future capital purchases.

b) Westwood For All Ages

Councilmember Montana advised that there will be a webinar on keeping older populations in place in the community on July 20th. He will send details in an email to the Governing Body.

c) Shade Tree Committee

Councilmember Montana reported that the Shade Tree Committee met last week and is putting together an action plan for the balance of 2016 and 2017. There will be a limited number of

shade trees made available later this year.

2) Fire and Ambulance; Shared Services:

a) Fire Department Update

Councilmember Grefrath announced that the wetdown for the new fire apparatus will be held August 13th at Westvale Park.

b) Environmental Committee Update

Councilmember Grefrath advised that the Environmental Committee should be receiving two grants totaling \$700 for the rain garden. One is from the Bergen County Health Services and the other is from Bergen SWAN. Construction is planned for late September. The Environmental Committee is working on several Sustainable Jersey project. A revised Green Purchasing Policy should be ready for the July meeting. Bag collection has begun for the Plastic Bag Recycling Challenge, with repositories at the Community Center, Borough Hall and DPW. The Environmental Committee Chairperson will speak with the Clerk about the anti-idling initiative.

3) Health and Recreation:

a) Recreation Update

Council President Bicocchi announced that the summer concerts begin June 30th. The gym floor bids are being rejected on the consent agenda and a rebid will be authorized. NEBAS will be hosted by Westwood Baseball this summer.

b) Health Department Update

Council President Bicocchi advised that the Health Department has taken training on the Zika virus and is taking steps to address stagnant water. Residents can call the Health Department with questions.

4) Land Use:

a) Washington Avenue Crosswalk Safety

Councilmember Dell stated that she is pleased with the pedestrian safety measures that are progressing in the Washington and Third Avenues area.

b) Farmers Market

Councilmember Dell has visited the Farmers Market and the vendors are happy with the new location. Business has increased each week. She said it's a worthy stop on a Saturday.

c) Library Update

The Library's annual Taste of Westwood will be held on Sunday, September 25th.

Councilmember Dell congratulated everyone who has children in the class of 2016.

5) Police and OEM:

a) Police Update

Councilmember Arroyo discussed the LEAD program, which will kick off in the schools in September. An officer will attend the July Council meeting to give a brief overview.

b) Parking Authority Update

Councilmember Arroyo reported that the June 14th meeting of the Parking Authority was extremely productive, with priorities from the parking study being addressed. The meeting was well-attended by Chamber of Commerce and Taxpayers Association members. Due to the complexity of incorporating the changes into the codebook the Parking Authority employees will work with the Borough Clerk to create a cohesive whole for the Borough Attorney to review.

6) Public Properties:

a) DPW Update

Councilmember Owens reminded everyone that the Recycling Center hours changed this past week. The DPW Superintendent has said several residents have been disappointed but understood the reason for the change when it was explained. The changes are an attempt to curb illegal dumping by allowing DPW personnel to be on site.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

1) Green Team

Mrs. Hughes explained the purpose of the Green Team and how it differs from the Environmental Committee. She suggested that once this year's Sustainable Jersey recertification is achieved, Green Team membership should be expanded and varied by recruiting Borough residents to join the Team and take active leadership roles. She reviewed a potential timetable and plan for enlisting volunteers. The Governing Body was unanimously in favor of the idea.

12. Agenda/Public Forum:

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

Paul McClair, 84 Roosevelt Avenue, Boy Scout Troop 350 - commented that the SNAP program is great, and asked how to get the word out. Mayor Birkner said young people have better access to communicating than the old stodgy folks, so use social media, tell the Boy Scout troop, talk about it at school. He suggested Paul speak to the Recreation Director about young people getting involved in other activities as well, such as the senior citizen programs. Councilmember Montana pointed out that Paul has been one of the biggest student contributor volunteers. He suggested Paul contact Gary Buchheister about launching a Recreation Facebook page.

Joe Letizia, 21 James Street - asked if there are any results from the grant application or joint project with Emerson. Mayor Birkner said no, grants take time.

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

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

13. Ordinances of First & Final Reading:
Ordinances on Introduction

16-18 An Ordinance Amending Chapter 6 Boards, Committees And Commissions To Add Article VII Senior Citizen Advisory Committee

Mayor Birkner asked for this ordinance to be tabled for further clarification and review by the Borough Attorney. Councilmember Montana motioned, all agreed.

16-19 An Ordinance to Amend Chapter 237 Parking Lots, Municipal

16-20 An Ordinance To Amend Chapter 237 Parking Lots, Municipal To Include Obstruction of Meters

16-21 An Ordinance To Amend Chapter 375 Vehicles And Traffic Part 2 Parking Article VIII Metered Time Limit Parking

Councilmember Arroyo motioned to table the three parking ordinances for further revision. All agreed.

14. 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 p, q and r were added at this time. Council President Bicocchi requested resolution l be voted upon separately. Councilmember Owens requested resolution q be voted upon separately.

Resolutions as Consent Agenda:

- a) Resolution #16 - 155: Bill List & Statement of Cash
- b) Resolution #16 - 156: Chapter 159 - 2016 Alcohol Education and Rehabilitation Enforcement Fund
- c) Resolution #16 - 157: Cancellation of Current Fund Appropriated Grant Reserves/Grant Receivables
- d) Resolution #16 - 158: Authorizing Refund of Taxes B811 L1
- e) Resolution #16 - 159: Authorizing Refund of Taxes B1408 L15
- f) Resolution #16 - 160: Authorizing Redemption of Tax Sale Certificate #15-00002
- g) Resolution #16 - 161: Authorizing Redemption of Tax Sale Certificate #13-00006
- h) Resolution #16 - 162: Hiring of Per Diem Dispatchers
- i) Resolution #16 - 163: Supporting the Establishment of Veterans Treatment Courts
- j) Resolution #16 - 164: Summer Employees - Recreation Department
- k) Resolution #16 - 165: Authorizing Installation of Street Light at Third and Washington
- m) Resolution #16 - 166: Annual Snow Plowing Agreement 2016-2018
- n) Resolution #16 - 167: Renewal of Pascack Theater License
- o) Resolution #16 - 168: Renewal of 2016-2017 Liquor Licenses

p) Resolution #16 - 169: Rejection of Bids - Gymnasium Floor Replacement
r) Resolution #16 - 170: Hire of Full Time Dispatcher

Motion to adopt resolutions #16-155 through #16-170: 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

l) Resolution #16 - 171: Grant Writing Services

Motion to adopt: Councilmember Grefrath Second: Councilmember Montana

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

q) Resolution #16 - 172: Renewal of 2016-2017 Liquor Licenses - Neelie Snowo

Motion to adopt: Councilmember Grefrath Second: Councilmember Dell

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

15. Adjournment:

Motion to adjourn: Councilmember Owens Second: Councilmember Arroyo

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

The time was 10:02 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk