

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
JUNE 23, 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 – Present
Councilmember Miller – Present
Councilmember Grefrath – Present
Councilmember Bicocchi - Present
Council President Arroyo – Present
Borough Attorney Doyle – 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 - 148: Executive Closed Session

Motion to adopt Resolution #15-148: Councilmember Miller Second: Councilmember Grefrath

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

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Grefrath Second: Councilmember Owens

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:14 pm.

5. Roll Call II:

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

6. Flag Salute

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

7. Oath of Office Fire Department Cadet

The Cadet was not present so this item was tabled.

8. Award of Fire Department Scholarships

Chief Voorhis announced the 2015 Fire Department Scholarship winners.

9. Certificate of Recognition - Robert Gramagna

Mr. Gramagna was recognized for aiding the Westwood Police Department in resolving a burglary and returning the equipment to its rightful owner.

10. Resolution #15 - 149 : Appointment of Police Lieutenants

Motion to adopt Resolution #15-149: Council President Arroyo Second: Councilmember Owens

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

Mayor Birkner administered the oath of office to Lieutenant Matt McClutchey. He then administered the oath to Lieutenant Jay Hutchinson.

11. Resolution #15 - 150: Appointment of Police Sergeants

Motion to adopt Resolution #15-150: Council President Arroyo Second: Councilmember Owens

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

Mayor Birkner administered the oath of office to Sgt. Scott McNiff. He then administered the oath to Sgt. Richard Antonacci.

12. Reports of Committees and Officials:

A) Mayor's Report

1) Farmers Market

Mayor Birkner asked Joseph Abou-Daoud follow up regarding the farmers market. Mr. Abou-Daoud distributed a map of the parking lot and reviewed the safety plan. He advised that he received permission from the emergency services, and has spoken to the health and fire departments. Further discussion was held regarding signage and cones. Mr. Abou-Daoud will add horses and cones, with signs.

Resolution #15 - 151: Authorizing Farmers Market

Motion to adopt Resolution #15-151: Councilmember Montana Second: Councilmember Owens

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

Mr. Abou-Daoud thanked the Governing Body and advised that the farmers market would open July 4th with a ribbon cutting at 9:00 am.

B) Engineer's Report

1) Biweekly Report

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

2) 2015 Road Program

Mr. Kezmarsky will ask PSE&G to post money to cover inspections of their portion of the road program.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Environmental Committee

Councilmember Grefrath reported that the Environmental Committee has determined that the best location for a rain garden is at the municipal building. They are discussing the cost and funding sources with Rutgers. Councilmember Grefrath asked if the Governing Body is in agreement with putting the garden at Borough Hall. The consensus was yes.

Councilmember Grefrath said the Environmental Committee had presented a green purchasing policy to the Clerk and CFO, who want it completely rewritten.

b) Finance Update

Councilmember Grefrath advised that the Finance Committee will meet on July 29th at 7:00 pm to discuss the five year plan in preparation for presentation in August.

c) Borough Administrator Search

Councilmember Grefrath noted that the Borough Administrator search committee will be meeting on July 27th.

2) Fire and Ambulance:

No report.

3) Health and Recreation:

a) Health Department Update

Councilmember Montana reported that the Health Department is revising its ordinances for licensing and sale of tobacco products to include vaping, which is not as formally controlled as tobacco. He noted that the Health Department has done a good job at identifying a potential risk to Borough youth.

b) Recreation Code of Conduct

Councilmember Montana asked for feedback on the recreation code of conduct. Council President Arroyo asked if the Governing Body is the final arbiter of a suspension. Councilmember Montana said it starts with the Recreation Director and Board but yes, language can be added to create a roll for the Governing Body. He will work with Mr. Huntington on it.

c) Voorhis Park

Councilmember Montana discussed Chief Regino's recommendation for parking for Voorhis Park. It was agreed to add a resolution to the consent agenda authorizing a trial of the parking configuration.

4) Land Use:

a) Historic Preservation Commission

Councilmember Bicocchi reported that the Historic Preservation Commission has applied for historic status for the train station.

b) Land Use Update

Councilmember Bicocchi stated the Planning Board would be discussing the hospital emergency room at their next meeting.

Councilmember Bicocchi thanked Mayor Birkner for participating in his son's St. Jude fundraiser. It raised \$5,000. Mayor Birkner commended Philip Bicocchi and his partner Alyssa for doing a fantastic job.

5) Police and OEM:

a) Generator Grant

Council President Arroyo said he will discuss the generator next month. Funds will need to be identified for the balance of the cost.

6) Public Properties: CO

a) Electronic Recycling

Councilmember Owens reported that the Borough has been paying \$975 per month to recycle electronics. DPW Superintendent Rick Woods has found a company that will accept electronics at no cost to the Borough if we deliver.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

No report.

11. Agenda/Public Forum:

Motion to open Agenda/Public Forum: Councilmember Grefrath Second: Councilmember Bicocchi

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

Robin Robinson, 50 Roosevelt Avenue - advised the Governing Body that the Police have adopted a no tolerance policy for overnight parking. Mr. Robinson discussed the impact it is having on himself and his neighbors. He requested the Governing Body consider accommodations to allow overnight parking. Mayor Birkner said the matter would be discussed in committee with the Police Department to determine if changes need to be made.

Roosevelt Avenue residents Patty Grisoila and Joanne Iwaskiw also voiced their displeasure with the policy change and requested overnight parking be permitted.

Joe Letizia, 21 James Street - discussed the flooding issue in the area of his home. He has spoken to Boswell Engineering and knows there are solutions and that it is an Emerson problem. Mr. Letizia asked for diplomatic help from Westwood. Mayor Birkner said Westwood will support and endorse any action Emerson can take to improve their stormwater drainage. He will speak with Boswell Engineer, who is also the engineer for Emerson, and keep the dialogue open with Emerson. Mayor Birkner noted that the

May 31st storm caused so much damage in areas that were not traditionally impacted by flooding events. Yet the traditional flood areas in Westwood did not flood because the reservoir levels were low. Mr. Letizia noted that even with a low amount of rain his street floods.

JayMee Hodges, 40 Second Ave - thanked the Governing Body for supporting the Dad's Dash and all the Sgt. Hrbek Memorial Scholarship activities. Mr. Hodges thanked the Governing Body for filling the voids in the Police Department chain of command. He is glad to hear that the Borough is obtaining another house. Mayor Birkner said the Fire Department will be notified of the closing so they can plan a drill. Mr. Hodges thanked the Governing Body for what they do. He said they are doing a good job with tasks that are not easy.

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

12. Ordinances of First & Final Reading:

Ordinance on Introduction

15-15 An Ordinance To Repeal Chapter 353, Tobacco Sales

BE IT RESOLVED that Ordinance #15-15 entitled "An Ordinance To Repeal Chapter 353, Tobacco Sales" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a July 21, 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 - Yes
Councilmember Miller – Yes	Councilmember Grefrath - Yes
Councilmember Bicocchi – Yes	Council President Arroyo – Yes

15-16 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Borough Wide Road Improvements And Appropriating \$350,000 Therefor And Providing For The Issuance Of \$332,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #15-16 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Borough Wide Road Improvements And Appropriating \$350,000 Therefor And Providing For The Issuance Of \$332,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a July 21, 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 - Yes
Councilmember Miller – Yes	Councilmember Grefrath - Yes
Councilmember Bicocchi – Yes	Council President Arroyo – Yes

15-17 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Monitoring Of Landfill Emissions For The Borough Of Westwood And Appropriating \$60,000 Therefor And Providing For The Issuance Of \$57,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #15-17 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Monitoring Of Landfill Emissions For The Borough Of Westwood And Appropriating \$60,000 Therefor And Providing For The Issuance Of \$57,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a July 21, 2015 hearing date in the official newspaper according to law.

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

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

15-18 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Acquisition Of A Radio Console For The Police Department Dispatch Desk And Related Expenses And Appropriating \$150,000 Therefor And Providing For The Issuance Of \$142,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #15-18 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Acquisition Of A Radio Console For The Police Department Dispatch Desk And Related Expenses And Appropriating \$150,000 Therefor And Providing For The Issuance Of \$142,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a July 21, 2015 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 Owens - Yes Councilmember Montana - Yes
 Councilmember Miller – Yes Councilmember Grefrath - Yes
 Councilmember Bicocchi – Yes Council President Arroyo – Yes

15-19 An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Acquisition of Equipment for the Borough of Westwood Department of Public Works and Appropriating \$20,000 from the Borough’s Capital Trust Fund Surplus

BE IT RESOLVED that Ordinance #15-19 entitled “An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Acquisition of Equipment for the Borough of Westwood Department of Public Works and Appropriating \$20,000 from the Borough’s Capital Trust Fund Surplus” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a July 21, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Owens Second:

Councilmember Montana

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Yes

Councilmember Miller – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes

Ordinance for Adoption

15-6 An Ordinance to Amend Chapter 249, Peddling and Soliciting, To Include a Nonsolicitation List

BE IT RESOLVED that Ordinance #15-6 entitled “An Ordinance to Amend Chapter 249, Peddling and Soliciting, To Include a Nonsolicitation List” 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: Councilmember Bicocchi Second: Councilmember Miller

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

BE IT RESOLVED that an Ordinance known as #15-6 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 Miller – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes

15-12 An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for Road Improvements and Appropriating \$190,000 (Including a 2015 Grant in the Amount of \$149,000 Expected to be Received from the State of New Jersey, Department of Transportation) Therefor and Providing for the Issuance of \$38,950 in Bonds or Notes of the Borough of Westwood to Finance the Same

BE IT RESOLVED that Ordinance #15-12 entitled “An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for Road Improvements and Appropriating \$190,000 (Including a 2015 Grant in the Amount of \$149,000 Expected to be Received from the State of New Jersey, Department of Transportation) Therefor and Providing for the Issuance of \$38,950 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 Miller
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 Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #15-12 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 - Yes
 Councilmember Miller – Yes Councilmember Grefrath - Yes
 Councilmember Bicocchi – Yes Council President Arroyo – Yes

15-13 An Ordinance of the Borough of Westwood, in the County of Bergen, New Jersey, Providing for Signs/Barricades and Cones for the Department of Public Works and Appropriating \$5,000 from Available Surplus in the Borough’s Capital Trust Fund

BE IT RESOLVED that Ordinance #15-13 entitled “An Ordinance of the Borough of Westwood, in the County of Bergen, New Jersey, Providing for Signs/Barricades and Cones for the Department of Public Works and Appropriating \$5,000 from Available Surplus in the Borough’s Capital Trust Fund” having hereby been read by title, shall have a hearing held on this date.

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

BE IT RESOLVED that an Ordinance known as #15-13 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 Owens Second: Councilmember Miller

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

15-14 An Ordinance Amending Chapter 243 Parks And Recreation Areas Schedule A Recreation Department Fees

BE IT RESOLVED that Ordinance #15-14 entitled “An Ordinance Amending Chapter 243 Parks And Recreation Areas Schedule A Recreation Department Fees” 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 Montana Second: Councilmember Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #15-14 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 Montana Second: Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Miller – 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. Resolutions f and g were added at this time.

Resolutions as Consent Agenda:

- a) **Resolution #15 - 152: Bill List & Statement of Cash**
- b) **Resolution #15 - 153: Resolution Authorizing the Preparation of Specifications for the 2015 Municipal Road Paving Program for the Pascack Valley Cooperative Pricing System #107-PVCPS**
- c) **Resolution #15 - 154: Authorizing Preparation of Plans and Specifications and Bid the 2015 NJDOT Road Project/First and Elm**
- d) **Resolution #15 - 155: Approval of Friends of Westwood Youth Football Association Application to Consume Alcoholic Beverages on Public Property**
- e) **Resolution #15 - 156: Capital Budget Amendment #3 - DPW Equipment**
- f) **Resolution #15 - 157: Authorization to Participate in the Burchell Fair Share Analysis / COAH**
- g) **Resolution #15 - 158: Authorizing Trial Parking Configuration for Voorhis Park**

Motion to adopt resolutions #15-152 through #15-158: Councilmember Grefrath

Second: Councilmember Miller

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

14. Adjournment:

Motion to adjourn: Councilmember Miller Second: Councilmember Montana

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

The time was 10:34 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk