

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
JULY 21, 2015 AGENDA
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 - Absent
Council President Arroyo – Present
Borough Attorney Huntington – 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 - 159: Executive Closed Session

Motion to adopt Resolution #15-159: Councilmember Miller Second: Council President Arroyo
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Miller – Yes Councilmember Grefrath - Yes
 Councilmember Bicocchi – Absent Council President Arroyo – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Miller Second: Councilmember Montana
Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:09 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Present /
Councilmember Miller – Present / Councilmember Grefrath – Present / Councilmember Bicocchi -
Absent / Council President Arroyo – Present / Interim Administrator Kezmarsky - Present /
Borough Attorney Huntington – 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. Approval of Minutes: January 20, 2015; February 3, 2015

Motion to Adopt Minute of January 20: Councilmember Grefrath Second: Councilmember Miller
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Miller – Yes Councilmember Grefrath - Yes
 Councilmember Bicocchi – Absent Council President Arroyo – Yes

Motion to Adopt Minute of February 3: Councilmember Grefrath Second: Councilmember Miller
Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
Councilmember Miller – Yes Councilmember Grefrath - Yes
Councilmember Bicocchi – Absent Council President Arroyo – Yes

8. Certificate of Achievement - Zorovich

Mr. Zorovich was recognized for being named the 2015 Boys Tennis Coach of the Year by the Record newspaper.

9. Resolution #15 - : Appointment of CERT Members

Mayor Birkner advised that the CERT appointments will be moved to September due to vacations.

10. Reports of Committees and Officials:

A) Mayor's Report

1) Energy Strong Project

Mayor Birkner remarked that the Energy Strong program is in its final phases and streets are being paved. He thanked Boswell Engineer and DPW Superintendent Rick Woods for working with PSEG to expand the road paving program to include more streets within the 15 year plan.

2) TPA Streetscape Beautification

Mayor Birkner noted that the Taxpayer Alliance streetscape beautification project is underway in downtown Westwood. The goal is to eliminate the trip and fall hazards. The trees are not being eliminated but replaced.

Mayor Birkner hopes everyone is enjoying their summer. He asked all to be mindful of pets and elderly neighbors in the hot weather. He reminded everyone that there is no work session in August, just the public meeting.

B) Engineer's Report

1) Biweekly Report

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

2) Road Paving

Dr. Boswell reviewed the various road paving projects. Councilmember Montana asked why there is a single and not a double stripe on Pascack Road. Dr. Boswell explained that since the speed limit is 25 mph, a single stripe is acceptable. He further explained that there is no difference between a single and double stripe; both mean do not cross.

Councilmember Owens asked about sinkholes on the PSEG-paved streets. Dr. Boswell said PSEG will eliminate bird baths. They will ask Boswell what to do about anything bigger.

Councilmember Owens asked how close the paving is to the 15 year program. Dr. Boswell would like to update the map once the 2015 paving is done. He can also project the next 15 years.

Dr. Boswell noted that Terrace Drive was removed from the PSEG paving plan due to additional work that's required on the street. Lafayette Terrace was added in its place.

3) ADA Curb Ramps

At Council President Arroyo request, Dr. Boswell reviewed the timetable for the ADA curb ramp installation on Westwood Avenue.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects: PG

a) Bogert Bridge Lights

Councilmember Grefrath advised that the lights are installed and working on the Bogert Pond bridge.

b) Finance Update

The Finance Committee will meet on July 29th to review the five year plan prior to presentation at a special meeting in August. June finance reports have been distributed. The 2014 audit and action plan are completed. The Borough has the least audit comments this year since 2003.

c) Semi Monthly Pay

Councilmember Grefrath advised that based on a payroll issue in Clifton, the auditor has recommended semi monthly pay on the 15th and 30th of each month. Westwood has no issue with payroll but to assure there would be no issues in the future the recommendation was made to implement in 2016. Councilmember Miller pointed out it creates an employee relation issue. Twice a year there will be no pay over a 3 week period. He requested the consequence to the employees be considered. Councilmember Grefrath will speak with the CFO. Council President Arroyo asked if that schedule is negotiable for contractual employees. Councilmember Grefrath will ask.

2) Health and Recreation:

a) Land Use Report

On behalf of Councilmember Bicocchi, Councilmember Montana reported that the Zoning Board held a special meeting on the Westgate application.

b) Recreation Update

Councilmember Montana advised that the Community Center has been power washed. The next step in the façade refurbishment will be painting. He noted the money comes from rental funds, not taxes.

c) Shade Trees

Councilmember Montana announced that the Borough is accepting resident requests for shade trees during August and September. The trees will be planted in October.

3) Police and OEM:

a) Police Update

Council President Arroyo reported that Officer Mullaney has accepted a job offer in his hometown of Livingston and will be leaving the Westwood Police Department. Council President Arroyo wished him well.

There is a resolution on the consent agenda authorizing the Police Department to hire the top candidate from the list. Council President Arroyo pointed out that he is an alternate route candidate so he will be on patrol more quickly.

b) Dispatch Equipment

Council President Arroyo noted the ordinance for dispatch equipment is on the agenda for adoption, and advised that the Fire Department is requesting the old dispatch equipment. Chief Regino has no objections. Mayor Birkner asked if this would allow the Fire Department to dispatch from fire headquarters on an emergency basis. Councilmember Miller explained that it will help reduce problems in the hospital area. He's not certain if the old equipment is compatible with the new.

Councilmember Miller said this is an example of how the Borough department heads function in repurposing equipment. It is the right thought process, and he is proud of them to think that way.

c) Reverse 911 Service

Council President Arroyo explained that the Borough has been using Verizon for its Reverse 911 service, but the OEM Coordinator is recommending a contract with Swiftreach.

4) Public Properties:

No report.

5) Fire and Ambulance:

a) Ambulance Corps Update

Councilmember Miller asked everyone to support the upcoming Ambulance Corps carnival. He recommended thanking the volunteers and their families, which doesn't happen often enough.

b) Councilmember Miller Announces Resignation

Councilmember Miller announced his resignation, effective September 2nd. Due to family issues, he feels he is not able to hold himself to his previous performance level. He said it has been an honor to serve the residents of Westwood, and he will miss it. But he has no doubt this is the correct decision.

He believes whoever his replacement will be will bring energy, fresh eyes, and commitment that will benefit the Borough. He noted serving with the current group of councilmembers has been exceptional. He has unlimited faith and trust that the residents are in good hands with this Governing Body. He thanked the community for letting him be a part of all that has been accomplished.

Mayor Birkner noted that he and Councilmember Miller were elected on the same day, sworn in on the same day, began service on the same day. In the 7 ³/₄ years they have fought like brothers, but the way they have worked together leaves him with the utmost respect for Councilmember Miller. Mayor Birkner said he cannot express the impact Councilmember Miller has had on Westwood, and while he does not agree that Councilmember Miller no longer functions at a high level, he respects his decision. What Councilmember Miller has shown in his dedication to the Borough and its residents has been nothing but the best. Mayor Birkner said Councilmember Miller has made him a better mayor, and thanked him for it. He commended Councilmember Miller for giving nothing less than the best throughout his service. Every member of the Governing Body knows the benefit Councilmember Miller has been to the Borough. Mayor Birkner said they have been friends and have been adversaries, as they ran against each other for mayor. Councilmember Miller pointed out that Mayor Birkner received 1700 votes, and in contrast Councilmember Miller could name every person that voted for him. Mayor Birkner said despite arguments, there has never been a degree of disrespect either way. He noted how many times Councilmember Miller has ticked him off, usually because he's right. Mayor Birkner said that while Councilmember Miller is stubborn he can be flexible, step back and look at something from a different viewpoint. Mayor Birkner has learned from that. He thanked Councilmember Miller from the bottom of his heart for making him a better

Mayor, the Governing Body a better Governing Body, and Westwood a better place to live.

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

Patricia Grisolia, 48 Roosevelt Ave - discussed her concerns with no overnight parking, and urged a quick change to the ordinance. Ms. Grisolia believes there is selective enforcement and the Governing Body needs to address the parking situation.

Leonidas Savas, 37 Meadow Ave - believes the speeding in the area is appalling, particularly on Forest, Meadow and Lincoln. Mayor Birkner said the police can't be everywhere but they can focus on those areas.

Roberta Hanlon, 29 Meadow Ave - voiced her concern with a stop sign recently installed on Meadow Ave.

Joe Letizia, 21 James Street - reported to the Governing Body on the progress that has been made by Emerson regarding the flooding issue on his street.

Terry Medina, 14 Meadow Ave - believes the problem is the traffic coming from Lincoln onto Meadow. Ms. Medina suggested a line to keep people on their side when making the left turn onto O'Toole. Mayor Birkner asked if the stop sign creates awareness. Ms. Medina said it can't be seen until a car is right on top of it so no one is stopping.

Michael Murphy - has been living in London and working on infrastructure programs in Europe. Mr. Murphy will be moving to Westwood and asked the best path to creating similar programs for energy and waste management here. Mayor Birkner referred him to the Environmental Committee.

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

12. Ordinances of First & Final Reading:

Ordinance for Adoption

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" having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Montana 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 Montana 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 #15-15 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 Grefrath

Roll Call: Councilmember Owens - Yes	Councilmember Montana - Yes
Councilmember Miller – Yes	Councilmember Grefrath - Yes
Councilmember Bicocchi – Absent	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” having hereby been read by title, shall have a hearing held on this date.

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

BE IT RESOLVED that an Ordinance known as #15-16 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: Councilmember Montana

Roll Call: Councilmember Owens - Yes	Councilmember Montana - Yes
Councilmember Miller – Yes	Councilmember Grefrath - Yes
Councilmember Bicocchi – Absent	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” having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Grefrath 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 Grefrath 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 #15-17 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: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Miller – Yes Councilmember Grefrath - Yes
 Councilmember Bicocchi – Absent 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” 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 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: Council President Arroyo 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 #15-18 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 Miller

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Miller – Yes Councilmember Grefrath - Yes
 Councilmember Bicocchi – Absent 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" having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Owens 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 Owens 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 #15-19 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 – Absent 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 j and k were removed from consideration. Resolutions p and q were added at this time.

Resolutions as Consent Agenda:

- a) Resolution #15 - 160: Bill List & Statement of Cash
- b) Resolution #15 - 161: Certification of Annual Audit
- c) Resolution #15 - 162: 2014 Audit Corrective Action Plan
- d) Resolution #15 - 163: Authorizing RFP for Financial Advisor
- e) Resolution #15 - 164: Authorization to Apply for Open Space Grant for Tennis Courts
- f) Resolution #15 - 165: Approving the Extension of Water Distribution on Jones & Alvin Streets
- g) Resolution #15 - 166: Authorizing Disposal of Surplus Property by Online Auction
- h) Resolution #15 - 167: Authorize Release of Cash Maintenance Bond - Cashing Spinelli & Ferretti, LLC on behalf of CVS Pharmacy #0320
- i) Resolution #15 - 168: Award of Contract for Pascack Valley Cooperative Pricing System-2015 Road Paving Program
- ~~j) Resolution #15 - : Award of Contract for Roof Replacement for Borough Hall~~
- ~~k) Resolution #15 - : Rescinding Police Promotion~~
- l) Resolution #15 - 169: Authorizing Plans and Specifications for 2015 Road Paving

- m) Resolution #15 - 170: Change Order #1 and Estimate #1 for the Pascack Road Improvements**
- n) Resolution #15 - 171: Hiring of Per Diem Dispatchers**
- o) Resolution #15 - 172: Authorizing Hiring of Police Officer**
- p) Resolution #15 - 173: Further Extension of Temporary Acting Administrator**
- q) Resolution #15 - 174: Approving Stipulation of Settlement for Dog Bite**

Motion to adopt resolutions #15-160 through #15-174: Councilmember Grefrath

Second: Councilmember Miller

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Yes

Councilmember Miller – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Absent

Council President Arroyo – Yes

14. Adjournment:

Motion to adjourn: Councilmember Miller Second: Councilmember Owens

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

The time was 9:18 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk