

**BOROUGH OF WESTWOOD
WORK MEETING OF THE MAYOR & COUNCIL
MARCH 5, 2019 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 Collins – Present
Councilmember Montana – Present
Councilmember Bicchocchi – Present
Councilmember Dell – Present
Councilmember Murphy – Present
Council President Arroyo - Present
Borough Attorney Huntington – Present
Borough Administrator Kezmarsky - 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. Resolution #19 - 78: Executive Closed Session

Motion to Approve Resolution #19-78: Council President Arroyo Second: Councilmember Bicchocchi

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

4. Reopen the Meeting:

Motion to reopen the meeting: Council President Arroyo Second: Councilmember Dell

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:00 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Collins – Present / Councilmember Montana – Present / Councilmember Bicchocchi - Present / Councilmember Dell – Present / Councilmember Murphy - Present / Council President Arroyo - Present / Borough Administrator Kezmarsky - Present / Borough Attorney Huntington – Present / Borough Engineer Senkevich – 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) Flooding Report

Mayor Birkner reviewed the reservoir and stream levels, which are within normal winter mode range.

2) JIF Training

Mayor Birkner reminded the Governing Body that the MEL training classes are ongoing and also now available online. The Borough receives a \$250 credit for Governing Body member who takes the training. The annual Safety Breakfast will be held this Thursday.

3) Age Friendly Community

Mayor Birkner announced that the recognition ceremony for the AARP Age-Friendly Community award will be Friday at 3:00 pm at the Library. The thanked Westwood For All Ages and the Senior Advisory Committee for their work to make Westwood age-friendly.

4) PSE&G Energy Strong Upgrades

Mayor Birkner reported that Borough officials will be meeting with PSEG to review the streets for this year's Energy Strong upgrades. There appears to be conflict with the Borough's road paving program, but with coordination the Borough should be able to get the most for its road paving money.

5) Habitat For Humanity Home

Mayor Birkner said he met with Habitat for Humanity, who is just waiting for the final transfer of the Sand Road property. The goal is a late spring/early summer build. There is some cleanup required first, for which they can use prisoners through the Sheriff's department. Councilmember Murphy suggested continuing the sidewalk across the front of the property. Mayor Birkner said Habitat will have to look at it to determine if there will be enough room.

B) Council President's Report

1) Hearing of Citizens

While he was in the audience during the February meeting, Council President Arroyo said residents sitting next to him wanted to speak on non-agenda items but had to leave before the Public Forum. He suggested using the Council President report to open the floor for non-agenda public items. After discussion it was determined to suspend the regular order of business on a case-by-case basis rather than establish a second public forum.

C) Engineer's Report

1) Biweekly Report

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

2) Pistol Range

Mayor Birkner asked for a timeline for the pistol range remediation. Mr. Senkevich estimated June or July.

3) NJDOT Sand Road Project

Mayor Birkner asked when the Sand Road project would begin. Mr. Senkevich said it would be a mid-April start. Mayor Birkner directed him to communicate with the schools right away. Mr. Morris said the utilities for the Habitat house will need to be rushed. Mr. Huntington will speak with them.

4) Westwood Avenue Sidewalk

Councilmember Montana asked how pedestrian safety would be addressed during the Westwood Avenue sidewalk construction. Mr. Huntington explained that cars were being detoured so the pedestrians could safely walk in the traffic lane during sidewalk construction.

D) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects; Shared Services: CM

a) Budget Introduction

Councilmember Montana gave an overview of the budget numbers. He thanked the Finance Committee, Auditors, and Department Heads, and especially Acting CFO Ben Kezmarsky. Councilmember Montana asked CFO Frank Elenio to comment on the budget. Mr. Elenio discussed the additional debt paydown, and the recycling increase due to market conditions. Mayor Birkner said he had wanted to use more surplus to get to a zero increase but had to consider the ability to replenish the surplus. He discussed revenue and mentioned that the Borough is chipping away at its debt. Council President Arroyo asked where the Borough stands on debt. Mr. Elenio said Westwood is currently right in with most communities, well below the debt threshold. Councilmember Montana said the Borough is on the lower side of debt for a community this size. Although the Borough has a healthy, stable surplus, the lynchpin is in the Triple A bond rating. Councilmember Montana pointed out that it increases operating capital by paying down debt.

b) Introduction of Ordinance # 19-3: An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank

BE IT RESOLVED that Ordinance #19-3 entitled “**An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank**” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a April 2, 2019 hearing date in the official newspaper according to law.

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

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

c) Resolution #19 - 79: Introduction of 2019 Municipal Budget

Motion to Approve Resolution #19-79: 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

d) Resolution #19 - 80: Budget Self Examination for 2019

Motion to Approve Resolution #19-80: Councilmember Montana Second: Councilmember Murphy

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

2) Fire and Ambulance: RB

a) Fire Department

Councilmember Biccocchi advised that the Fire Department would be holding a drill on March 13th at the DPW. He encouraged the Governing Body to volunteer as victims.

3) Health and Recreation: BD

a) Health Department

Councilmember Dell said the second Babysitting Clinic sponsored by the Board of Health will be held on Thursday.

b) Library

Councilmember Dell reviewed various Library programs, including a concert to be held Sunday at 3 pm.

4) Land Use: EC

a) Heritage Society

Councilmember Collins advised that the Heritage Society meeting will be Wednesday evening at the train station.

b) Historic Preservation Commission

Councilmember Collins noted that the Historic Preservation Commission will meet on March 21st.

c) Land Use Boards

Councilmember Collins reported that the Planning Board held a lively discussion at its February 28th meeting on new uses for the CBD. Mayor Birkner said the Borough Planner will be provided a synopsis as part of the Master Plan Reexam. Councilmember Collins reviewed the Zoning Board applications from the March 4th meeting and noted that the board reorganized at that meeting.

5) Police and OEM: RA

a) Police Department

Council President Arroyo reported that the Police Department Snow Bowl fundraiser at Café Anello was well-attended and raised \$4,800, thanks in part to a corporate donation obtained by Councilmember Biccocchi. Council President Arroyo advised that the Police Department is conducting hiring interviews. The Police Committee will meet on March 12th to discuss the contract negotiations. Lt. Antonacci has set up a stakeholder meeting on the Berkeley School traffic pattern.

b) Shared Dispatch

Council President Arroyo sat in on a meeting to pursue dispatch partners. A number of Police Departments are interested and would like numbers. Mayor Birkner said there is a framework that the CFO can follow to work out the numbers. Mr. Kezmarsky said he will be seeing several of the Administrators on Thursday. Council President Arroyo said it's good to get buy-in at the ground level and this should be expedited.

6) Public Properties: JM

a) DPW

Councilmember Murphy said the DPW had a busy weekend removing snow. There was a complaint by a resident about snow removal overnight in the downtown. Mayor Birkner explained that removing snow from the Central Business District is a priority, and while all feel bad for the downtown residents it's a tradeoff that is a safety issue. Fortunately it only happens a few times a year when it snows.

b) Age Friendly Community Designation

Councilmember Murphy expounded on the AARP Age Friendly Community designation, noting Westwood is one of only 8 towns in New Jersey and 331 nationwide to be so designated.

E) Attorney's Report

No report.

F) Administrator's / Clerk's Report

a) Veterans Park Phase IV

Councilmember Montana asked about the status of the Phase IV improvements to Veterans Park. Mr. Kezmarsky said when there is a better understanding of the weather he will be glad to set a date. Councilmember Montana requested he contact Councilmember Emeritus Grefrath when a start date is set.

8. Agenda/Public Forum:

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

Jeff Roberson, 387 Adelphi St, Brooklyn, NY, 11238 – wanted to discuss two properties impacted by Ordinance 19-2. Mayor Birkner asked him to defer his comments until the ordinance hearing.

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

9. Ordinance for Introduction and Adoption

Ordinances for Adoption:

19-1 An Ordinance Amending Ordinance 18-15 of the Borough of Westwood, In the County of Bergen, New Jersey Providing For energy Efficiency Upgrades at Borough Buildings And Related Expenses And Appropriating \$40,000 Therefor From the Borough's Capital Fund Surplus

BE IT RESOLVED that Ordinance #19-1 entitled "An Ordinance Amending Ordinance 18-15 of the Borough of Westwood, In the County of Bergen, New Jersey Providing For energy Efficiency Upgrades at Borough Buildings And Related Expenses And Appropriating \$40,000 Therefor From the Borough's Capital Fund Surplus" having hereby been read by title, shall have a hearing held on this date.

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

BE IT RESOLVED that an Ordinance known as #19-1 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 Murphy Second: Councilmember Collins

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

19-2 An Ordinance To Amend Chapter 195 Article XVI Of The Westwood Borough Code, Entitled “Land Use And Development – Zone Districts And Permitted Uses” And The Standards Associated With The Zone In The Borough Of Westwood

BE IT RESOLVED that Ordinance #19-2 entitled “An Ordinance To Amend Chapter 195 Article XVI Of The Westwood Borough Code, Entitled “Land Use And Development – Zone Districts And Permitted Uses” And The Standards Associated With The Zone In 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 Collins Second: Council President Arroyo
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:

Jeff Roberson, 387 Adelphi St, Brooklyn, NY, 11238 – representing the owners of two lots in the overlay zone 15 Harold Street and 711 Broadway. Mr. Roberson discussed his concerns with the ordinance, which included the minimum lot size, minimum lot width, and maximum density. He said none of the lots in the zone meet the requirements for size, and only 6 meet the requirement for width. Based on his calculations using the New York Inclusionary Housing calculator, he believes development based on the density would not be financially feasible. Mr. Roberson requested that the minimum lot size be reduced, the minimum width be reduced, and the height and number of units be increased. Mr. Huntington explained that the Borough is deeply engaged with the affordable housing process and about to be meeting the minimum housing requirement. So far the Borough’s plan is in compliance with the applicable regulations. Mr. Roberson said his clients are interested in pursuing affordable housing but wanted to be clear that it’s not feasible. He provided a copy of his comments to be passed along to the Borough Planner. Mayor Birkner suggested that Mr. Roberson contact his office to set up a meeting with the Planner and Planning Board Chairman.

Motion to close the public hearing: Councilmember Dell 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 #19-2 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 Collins 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

10. 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. Resolutions h, i and j were added at this time.

Resolutions as Consent Agenda:

- a) Resolution #19 - 81: Bill List & Statement of Cash
- b) Resolution #19 - 82: Authorizing Refund of Taxes Due to Tax Court Judgement B2102 L4
- c) Resolution #19 - 83: Authorizing Bid for Vegetative Waste Disposal Services
- d) Resolution #19 - 84: Tonnage Grant Application
- e) Resolution #19 - 85: Bergen Municipal Employee Benefits Fund Resolution to Renew
- f) Resolution #19 - 86: Authorizing Additional Construction Inspection Services for Westwood Avenue Sidewalk Project
- g) Resolution #19 - 87: Award of Bid for 2018 NJDOT Sand Road Improvements Project
- h) Resolution #19 - 88: Hiring of Per Diem Dispatchers
- i) Resolution #19 - 89: Hiring of Per Diem Crossing Guard
- j) Resolution #19 - 90: Change in Employment Status for Recreation Employees

Motion to adopt resolutions #19-81 through #19-90: Councilmember Dell

Second: Councilmember Murphy

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes

Councilmember Bicocchi – Yes Councilmember Dell - Yes

Councilmember Murphy – Yes Council President Arroyo – Yes

11. Adjournment:

Motion to adjourn: Council President Arroyo Second: Councilmember Dell

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

The time was 10:16 pm

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk