

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
SEPTEMBER 17, 2019 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 Collins – Present
Councilmember Montana – Present
Councilmember Bicocchi – 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 - 240: Executive Closed Session

Motion to Approve Resolution #19-240: Council President Arroyo Second: Councilmember Murphy

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes
 Councilmember Bicocchi – 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 Montana

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:04 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Collins – Present / Councilmember Montana – Present /
Councilmember Bicocchi - 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

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

7. Approval of Minutes: August 6, 2019

Motion to Approve: Councilmember Dell Second: Councilmember Bicocchi

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

8. Girls Recreation 3 / 4 Softball Champion Certificates

9. Girls Recreation 10U Softball Champion Certificates

10. Boys Recreation Cooperstown Certificates

11. Reports of Committees and Officials:

A) Mayor's Report

1) Flooding Report

Mayor Birkner reviewed the reservoir and stream levels, which are low for this time of year.

2) Old Hook Sidewalk

Mayor Birkner reported that the Borough has received approval for its Community Development Block Grant of \$50,000 for a sidewalk on Old Hook Road.

B) Council President's Report

1) Pedestrian Safety

Council President Arroyo gave an update on the pedestrian safety enforcement program.

C) Engineer's Report

1) Biweekly Report

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

2) 2019 Paving

Councilmember Montana asked if the road list is finalized for 2019 or still being worked on based on the Energy Strong project. Mr. Senkevich reviewed the paving list, which includes curbing and sidewalks at the Community Center. Mr. Kezmarsky said he met with PSEG yesterday to ensure they had the list and would work with Boswell to make sure moratorium roads are paved to their full width. Realistically, paving will be done in 2020 after the trenches settle.

3) Mill Street

Mayor Birkner asked about drainage for the Mill Street project. Mr. Senkevich drainage will be installed over the winter, and curbs and sidewalks will be done in the spring right before PSEG paves.

D) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects: CM

a) Finance

Councilmember Montana said at the upcoming Finance Committee meeting they will review the CFO workload with the current CFO to determine how best to move forward with hiring his replacement.

b) Environmental Committee

Councilmember Montana reported that the Environmental Committee is preparing a list of short and long term projects for presentation to the Governing Body. He applauded them for working

on a plan for Nugent Park that will control flooding while providing an aesthetically pleasing passive park.

c) Leaking Garbage Truck

Councilmember Montana said Environmental Committee member Chris Blaney, who works for the DEP, has met with Waste Management about their leaking trucks to discuss protocol. He gave Councilmember Murphy an inspection guideline for the DPW Superintendent to give to truck drivers of leaking vehicles. Mayor Birkner said there are also noise complaints about the starting time that Mr. Kezmarsky is investigating. Mr. Kezmarsky said Waste Management has been told they can be in town at 6:00 am but cannot start work until 7:00 am. He did not receive any noise complaints this week.

2) Fire and Ambulance: RB

a) Fire Department

Councilmember Bicocchi reviewed the August fire report statistics. The annual inspection dinner will be October 19th.

b) Senior Advisory Board

Councilmember Bicocchi reported that the Senior Advisory Board heard reports from Westwood For All Ages and the Senior Fellowship at their meeting.

3) Health and Recreation: BD

a) Recreation

Councilmember Dell reviewed the Recreation summer program statistics. The 2020 summer playground goals include a covered pavilion at Brookside Park, and transportation for local trips. Upcoming Recreation events include pumpkin decorating and the dedication of the Wolverines football field in memory of Coach Toale, with Becker Funeral Home sponsoring the plaque. Councilmember Dell said Recreation is requesting that Boswell provide a landscaping chart for determining where and what can be planted at Westvale. She next reviewed the status of the various park projects.

b) Board of Health

Councilmember Dell reported that the Board of Health is working on their salary request budget. The next babysitting clinic is Thursday, September 26th.

c) Stigma Free Committee

The Stigma Free Committee had a lively meeting on September 9th prior to the Alumni in Recovery meeting, which they attended. Discussion items included uniting with the Washington Twp. Stigma Free team, and participating in Home for the Holidays.

d) Library

Councilmember Dell reminded everyone of the new October 6th date for the Library's 10th annual Taste of Westwood.

4) Land Use: EC

a) Heritage and Historical Meetings

Councilmember Collins noted that the Heritage Society meets on October 2nd, and the Historic

Preservation Commission meets on September 19th.

b) Land Use Boards

Councilmember Collins reviewed the applications from the September 9th Zoning Board meetings. She pointed out the Planning Board had sent an ordinance that would be introduced tonight, and asked Mr. Huntington about the procedure if something needs to be changed after introduction. Mr. Huntington advised on the process to determine if a change is de minimus or not.

5) Police and OEM; Shared Services: RA

a) Police

Council President Arroyo said the Police would like to explore establishing a dedicated account so that unused equipment obtained through the 1033 program could be auctioned off, with the funds going into the account to be used for future expenses. Mr. Kezmarsky said he has reached out to the state with the inquiry and is waiting for their response. Westwood is the first community to ask the question.

6) Public Properties: JM

a) DPW

Councilmember Murphy reported that the DPW is planting trees. They took down the Brookside backboards as part of the basketball court replacement project.

b) AARP Parklet Grant

Councilmember Murphy has been investigating locations for the parklet. She suggested relocating the underutilized bike rack on Center Ave by Downtown Dhaba and placing the parklet there. There was discussion on where to relocate the bike rack.

c) AirBnB/Short Term Rentals

Councilmember Murphy asked if there is any interest in codifying short term rentals. Mayor Birkner said it needs to be codified or it will only be implied to be not permitted and there is no statutory authority for punitive action. There was discussion on whether or not to address it.

d) Public Art

Councilmember Murphy thinks the public art proposal would fit well with the proposed cultural arts committee.

e) Shade Tree & Public Park Areas

Councilmember Murphy suggested the Shade Tree Committee could become a subset of the Environmental Committee to balance out the addition of a cultural arts committee. She noted that Recreation could be expanded to include parks, which could then incorporate several other committees.

E) Attorney's Report

No report.

F) Administrator's / Clerk's Report

1) 2019 Road Paving

Mr. Kezmarsky explained that the award of bid for the 2019 road paving would be on the next

meeting, since one participating municipality was working on a problem.

2) Energy Upgrades

Councilmember Montana asked the status of the energy upgrades at Borough Hall. Mr. Kezmarsky said 95% of the building is done, and they are at the firehouse now. There were some issues with the measurements for the HVAC but Mr. Kezmarsky thinks they are set now. Councilmember Montana asked to analyze the energy savings and the carbon footprint.

12. Agenda/Public Forum:

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

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

Lisa Bontemps, 136 Lafayette Terrace – Westwood For All Ages is hosting a Permits 101 workshop with Bill Martin presenting at 7:00 pm on Tuesday at the Community Center.

JayMee Hodges, 40 Second Ave - doesn't see the CDB/SPE ordinance on the agenda. Mayor Birkner said it will be ordinance for introduction #19-18.

Lauren Letizia, 36 First Ave - thinks public art is a wonderful idea that needs to be done right. Mrs. Letizia urged the Governing Body to take their time and get a lot of people involved. Mayor Birkner said he has had multiple conversations with the public and the business community to get feedback to compile into a mission policy that he is hopeful to present October 1st. He agrees that it shouldn't be rushed into.

Karen Foot, 77 Wheeler – opening a meditation studio at the former Parian Jewelers building. Ms. Foot said she would benefit from the proposed zoning ordinance and is in favor of it.

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

13. Ordinance for Introduction and Adoption

Ordinances for Introduction:

19-18 An Ordinance To Amend Article XIV, Chapter 195, Zoning of the Borough of Westwood

Council President Arroyo said because the ordinance was not in the agenda book, he would like additional time to study it because there are a lot of changes. Councilmember Montana agreed. He asked Councilmember Collins if it was necessary to introduce tonight. Councilmember Collins said there were several interested businesses waiting to open based on the ordinance, to which Mayor Birkner added that the ordinance would allay the time and expense for a variance. Discussion included the ordinance process and timetable for making changes. It was determined to introduce.

BE IT RESOLVED that Ordinance #19-18 entitled “An Ordinance To Amend Article XIV, Chapter 195, Zoning of the Borough of Westwood” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a October 1, 2019 hearing date in the official newspaper according to law.

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

Bicocchi

Roll Call: Councilmember Collins - Yes Councilmember Montana – No
 Councilmember Bicocchi – Yes Councilmember Dell - Yes
 Councilmember Murphy – Yes Council President Arroyo – Abstain

Ordinances for Adoption:

19-16 An Ordinance to Revise Chapter 157 – FILMING

BE IT RESOLVED that Ordinance #19-16 entitled “An Ordinance to Revise Chapter 157 – FILMING” having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Collins Second: Councilmember Dell

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 Collins

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

BE IT RESOLVED that an Ordinance known as #19-16 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 Collins Second: Councilmember Bicocchi

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” 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: Council President Arroyo Second: Councilmember Collins

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

BE IT RESOLVED that an Ordinance known as #19-17 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: 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

14. 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 e was removed at this time.

Resolutions as Consent Agenda:

- a) Resolution #19 - 241: Bill List & Statement of Cash
- b) Resolution #19 - 242: Authorizing Interlocal Agreement for Teen Night Program
- c) Resolution #19 - 243: Authorization to Construct Dead End on Van Buren Avenue
- d) Resolution #19 - 244: Authorizing Payment for Engineering at 95 Sand Road
- ~~e) Resolution #19 - : Award of Bid for 2019 Pascack Valley Cooperative Paving Program~~
- f) Resolution #19 - 245: Authorizing JC Promotions Events in the Park

Motion to adopt resolutions #19-241 through #19-245: Councilmember Dell

Second: Councilmember Collins

Roll Call: Councilmember Collins - Yes Councilmember Montana – Yes

 Councilmember Biccocchi – Yes Councilmember Dell - Yes

 Councilmember Murphy – Yes Council President Arroyo – Yes

15. Adjournment:

Motion to adjourn: Councilmember Dell Second: Councilmember Murphy

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

The time was 9:27 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk