

**BOROUGH OF WESTWOOD  
PUBLIC MEETING OF THE MAYOR & COUNCIL  
JANUARY 15, 2013 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 Grefrath – Present  
Councilmember Miller – Present  
Councilmember Arroyo – Present  
Councilmember Quinn – Present  
Council President Sciara – Present  
Councilmember Waneck – Present

**Committee Assignments:**

Health & Recreation  
Police & OEM  
Lane Use  
Public Properties  
Fire & Ambulance  
Finance, Administration &  
Capital Projects

Borough Administrator Hoffmann – Present  
Borough Attorney Huntington – Present  
Temporary Assistant to Borough Clerk – Joanne Monarque

**3. Resolution #13 - 29: Executive Closed Session**

**Motion to adopt Resolution #13-29:** Councilmember Miller Second: Council President Sciara

Roll Call: Councilmember Grefrath – Yes      Councilmember Waneck – Yes  
                  Councilmember Quinn – Yes      Councilmember Arroyo – Yes  
                  Councilmember Miller – Yes      Council President Sciara – Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Council President Sciara Second: Councilmember Grefrath

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

The time was 8:25 pm.

**5. Roll Call II:**

Mayor Birkner – Present / Councilmember Grefrath – Present / Councilmember Quinn – Present / Councilmember Waneck – Present / Councilmember Arroyo – Present / Councilmember Miller – Present / Council President Sciara – Present / Borough Administrator Hoffmann – Present / Borough Attorney Huntington – Present / Borough Engineer Boswell – Present / Temporary Assistant to Borough Clerk Monarque - Present

**6. Flag Salute**

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

flag.

**7. Resolution #13-30: Appointment of Temporary Borough Clerk**

**Motion to adopt Resolution #13-30:** Councilmember Grefrath Second: Councilmember Waneck

Roll Call: Councilmember Grefrath – Yes      Councilmember Waneck – Yes  
                 Councilmember Quinn – Yes      Councilmember Arroyo – Yes  
                 Councilmember Miller – Yes      Council President Sciara – Yes

Mayor Birkner informed the public that this resolution allowed the Borough to appoint Ms. Monarque Temporary Borough Clerk during the absence of the regular Borough Clerk who is on family leave.

**8. Swearing in of Police Officers:**

Mayor Birkner, Councilmembers Miller and Sciara administer the Oath of Office to new Police Officers Kevin Mullaney, Tristan Ganter and Keith Bott.

**9. Resolution #13-31 – Fire Department Matters of Personnel**

**Motion to adopt Resolution #13-31:** Councilmember Miller Second: Councilmember Arroyo

Roll Call: Councilmember Grefrath – Yes      Councilmember Waneck – Yes  
                 Councilmember Quinn – Yes      Councilmember Arroyo – Yes  
                 Councilmember Miller – Yes      Council President Sciara – Yes

**10. Reports of Committees and Officials:**

**A) Mayor's Report**

**1) PSE&G/BPU Meeting**

Mayor Birkner advised that the League of Municipalities is sponsoring a meeting with PSE&G and the BPU on January 22<sup>nd</sup>. He asked if any Councilmember is interested in attending to let him know.

**2) NJ Conference of Mayors Meeting**

Mayor Birkner advised that he cannot attend the annual NJ Conference of Mayors meeting with the Governor on January 24<sup>th</sup>. If any Councilmember is able to attend, he will make the arrangements.

**3) 46 Harding Avenue**

Mayor Birkner received an email from Mr. Joe Rivers whose home was bought out with the FEMA/Green Acres funding. Mr. Rivers had hoped to be here tonight to address the Governing Body but could not attend. He asked if this could be read this into the record for tonight.

“Dear Mayor Birkner: I hoped to make tonight’s meeting and speak directly to you and the Council. Unfortunately, I am unable to do so. First I would like to thank you and the Council for all of your efforts with FEMA. I know how much of a burden it became. Way too often a good job goes unnoticed and that is why I’m writing this email. I want you to know what a great job Bob Hoffmann did throughout the entire process. He was relentless in completing this project. He never flinched at any setback or changes made by FEMA and/or the DEP. To much of our surprise, he forged forward when faced with new

obstacles. What Pam and I appreciated most was Bob and your staff's availability to the residents. They always took time to take our phone calls, answered questions and went above and beyond to keep us updated throughout the entire process. I also want to thank Karen Hughes and Sylvia for all of their participation. We will never forget how good everyone has treated us. Best, Joe Rivers."

Mayor Birkner commented that this is a testament to all of the Borough employees who provided assistance during the very, very lengthy and arduous process for the acquisition of those homes. It certainly is nice to receive the compliments regarding employees' work performance.

Mayor Birkner wished everyone best of health and best wishes for 2013.

## **B) Engineer's Report**

### **1) Biweekly Report**

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

### **2) Broadway Intersection Improvements**

Dr. Boswell advised that NJ Transit has agreed to review and return the plans for the Broadway Intersection Improvements by the end of January. The project is on schedule for a March/April construction start. He noted that two easements are required. One has been secured and the Borough Attorney is working on securing the other. Councilmember Grefrath asked for a final map of the changes to Veteran's Park that are part of the resignalization project. Dr. Boswell pointed out that the final plan had been given to the Borough on September 18<sup>th</sup>, unless additional changes are requested based on the proposal Boswell had submitted. Councilmember Grefrath said he would like another copy of that map, which he remembers as having the adjustments. He personally thinks the adjustments utilizing jut outs to save the two mature trees is a beneficial idea.

## **C) Council Liaison & Committee Reports**

### **1) Finance, Administration and Capital Projects:**

#### **a) Environmental Committee Update**

Councilmember Waneck reported that the Environmental Committee and Police Department are promoting a Westwood Library Green Screen presentation of the movie "The Idle Threat" on February 4<sup>th</sup>.

A number of Environmental Committee members will be attending an NJAP convention to learn about water runoff.

High School Juniors or Seniors are needed for student membership on the Environmental Committee.

Councilmember Waneck apologized for the snafu that caused only the resume to be available for Elizabeth Marowski and not the request form as well. Ms. Marowski would like to join the Environmental Committee. All the forms would be available at the next meeting.

The Environmental Committee is moving forward with the community garden by reaching out to 5 other towns that have this type of garden to find out what bylaws they use and what procedures they use to determine who would actually get the plots. There would be about 40 of them.

**b) Finance Department Update:**

Councilmember Waneck announced that the Finance Committee will be meeting to take a first real look at the budget. The Council's line-by-line reviews of the budget will be held February 12<sup>th</sup> and 26<sup>th</sup>.

Councilwoman Waneck stated that Mr. Hoffmann had put together a Hurricane Irene home acquisition spreadsheet. The Councilwoman clarified that Westwood is not funding the purchase of these homes. All of the funds are coming from FEMA as well as the State. The Borough is being reimbursed for legal expenses, appraisal services, demolition services, Borough expenses, etc. Three homes have been successfully purchased and there is money available to purchase at least one more additional home, if not 2.

**2) Police and OEM:**

**a) Police Report**

Councilman Miller commented that the hiring process for the Police Officers sworn in earlier was not an easy one. It took about 15 months but the end result was one to be proud of.

**b) Library Board**

The first meeting of the Board for 2013 will be Tuesday, February 5<sup>th</sup>.

**c) OEM**

Councilmember Miller noted that a room is needed for the OEM office. He is hopeful a location will be chosen by February.

**3) Fire and Ambulance:**

**a) Shade Tree Committee**

Councilmember Sciara advised that the Shade Tree Committee is looking into an expenditure from last year that came out of their line item.

Regarding the Committee to Commission issue, they understand where the Borough stands and the Committee is comfortable with that. Also, last year the Committee wrote a new ordinance. They are asking if the Governing Body could possibly amend the old ordinance to include some of the changes from the new ordinance. Council President Sciara said the Borough would look at it.

**b) Ambulance Corps**

Councilmember Sciara noted that on Saturday, January 12<sup>th</sup> the Ambulance Corps held their Installation Dinner where members were recognized for their outstanding and unselfish service to Westwood and surrounding communities.

**c) Fire Department**

The Fire Department continues to have their monthly drills, monthly seminars and educational classes. Presently they are planning with the Borough Administrator to use the three FEMA purchased homes for drills that will help sharpen the skills of the firefighters.

**4) Public Properties:**

**a) Heritage Society**

The Heritage Society's first meeting will be the 1<sup>st</sup> Wednesday in February. Councilwoman Quinn looks forward to meeting with the group.

**b) DPW**

Councilwoman Quinn reminded everyone to remove their cars from the street when it snows so the DPW can plow. The DPW does a great job clearing the snow so people can get to work, emergency vehicles can get through and everyone can be safe. Councilmember Quinn looks forward to working with Superintendent Woods and the Public Works employees.

**5) Land Use:**

**a) Zoning Board of Adjustment**

Councilmember Arroyo reported on the Zoning Board reorganization meeting. He reviewed the two pending applications, one being the Children's Playhouse variance for site issue Kinderkamack Road south of Westwood Avenue. The other application proposed a non-conforming Seven Eleven Convenience Store on the east side of Kinderkamack near Crest Street that has concluded its list of witnesses and is ready for summation. The case is being carried to March 4<sup>th</sup>.

**b) Historic Preservation Commission**

The Historic Commission is discussing how it might best pursue its mandate, perhaps by beginning to assemble a primer of architectural guidelines, material, and design elements that would be appropriate for use in rehabilitating Westwood's historical structure.

**c) Planning Board**

Councilmember Arroyo reported on the Planning reorganization meeting. The Board approved its prior resolution approving the expansion of the Ginger n' Cream building on Center Avenue. The Board heard a request from the hospital for a prior application regarding signage. That will be carried to the next regular meeting on January 24<sup>th</sup>. The Board engaged in a discussion on the cell tower ordinance. The Chairman requested that Councilmember Arroyo initiate a conversation with Board Planner Ed Snieckus on the matter.

**6) Health and Recreation:**

**a) Recreation Department**

Councilmember Grefrath reported that the Recreation Director suggested a no smoking policy in or on all Borough properties including parks, municipal buildings and parking lots. This is something that the Health Department also favors. Councilmember Grefrath noted that other Bergen County municipalities have similar policies.

The Recreation Department has suggested adding distance markers down at Westvale Park on the walking path as well as the path going to the County Park, with the understanding that markers cannot be placed where the paths cross active

roadways in County Park.

Councilmember Grefrath announced that Movies In The Park is going to celebrate its 10<sup>th</sup> anniversary this year. From all of the movies that have played in the park for the last 9 years, the Recreation Department is going to have a contest for the 4 movies that receive the highest number of votes. They will be the movies shown this summer.

**b) Board of Health**

Councilmember Grefrath reviewed the Board of Health's discussion of Hurricane Sandy and how to improve the emergency occurrence protocol to make it easier for the restaurants to follow during future storms. The OEM Coordinator was in attendance. The impact of the storm, protocols and specific system improvements were discussed. Actions to be taken include (1) sending another letter reminding restaurant owners of their responsibilities to call in; (2) creating a call/text list to remind food establishments to inform the Board of Health in case of an emergency occurrence such as loss of refrigeration; and (3) ordering reminder magnets that go on refrigerators to remind the owners of the must-call initiative.

The Board of Health also discussed their budget as well as possible costs for a second part-time position as a result of the imminent opening of HackensackUMC North at Pascack Valley. The Board of Health began discussing what would be necessary once the hospital opens in late May or early June.

**c) Parking Authority**

Councilmember Grefrath will be asking the Parking Authority why is there no handicap parking near the post office.

**d) Technology Committee Appointments**

Councilman Grefrath as Technology Committee Chairman and Liaison recommended expanding the Technology Committee to include 2 or 3 additional members, one of whom will be William Phayre as Chairman. He'll nominate the other members at the February Work Session. All members will have a one-year term including the Liaison. Councilmember Grefrath asked the Mayor for a consensus. The Council unanimously agreed.

**e) Veterans' Park**

Councilman Grefrath was happy to hear the Engineer say that the design for Veteran's Park is approved or as close to being approved as possible.

Councilman Grefrath would have Ed Sniekus begin working on paths to connect the bandstand quad with the Veterans' Park quad in order to keep the Veterans' Park revitalization project moving forward. Councilwoman Waneck asked the plan with the jut outs with the extra trees being saved was finalized. No one was clear on that. Councilman Grefrath stated that he would forward the map to everybody for discussion at the next meeting.

Councilman Grefrath stated that Mr. Hoffmann was handling one of the two last portions of the Tier II revitalization project, which is getting the lighting

hooked up and planting two trees in the spring.

Councilman Grefrath noted that there are currently 21 Memorial Benches in 4 different parks. He is very happy that this particular project is moving forward and has been a success.

**D) Attorney's Report**

No report.

**E) Administrator's / Clerk's Report**

No report.

**11. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Arroyo

Second: Councilmember Miller

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

Jennifer Deppert, 211 Westwood Boulevard – said she was speaking on behalf of the community at Palisade Avenue, Westwood Boulevard, Pascack Road and Sand Road about the traffic in the area. With the hospital ready to open, Ms. Deppert voiced concern with increased traffic at the hospital's back entrance. She noted there are many children in the neighborhood and she herself has almost been hit coming out to get her mail. There is cut through traffic and commercial traffic from the businesses on Carver and Tillman. Ms. Deppert asked if something could be done, such as traffic rules like no turn on red, no turn onto Sand Road from Old Hook during certain hours, or signs that say local traffic only coming off of Emerson Road onto Westwood Boulevard. She observed that drivers don't adhere to the stop signs or speed limits. Mayor Birkner accepted the materials Ms. Deppert brought to the meeting and stated he would bring them to the Police Department and give them to Capt. Durante who is in charge of traffic issues around the Borough. The Mayor and Council would consider recommendations made by Capt. Durante.

Martin Lucius, 164 Westwood Boulevard - feels that the speed bumps on Sand Road are not high enough to affect the speed of the traffic coming through there. Mr. Lucius stated this was not the first time the subject was brought up and it certainly would not be the last. He suggested no right turn onto Sand Road from Old Hook Road, and for traffic that still comes through the speed bumps should be higher. He next addressed the first bend on Pascack Road off of Sand Road going toward Westwood Boulevard, which he believes is so bad and so dark that someone is going to get hit there. Mayor Birkner advised Mr. Lucius that that road is on the road paving schedule for 2013. Mr. Lucius asked exactly when will the road be paved. The Mayor answered later this year after the bids have gone out and are received. Mr. Lucius once again reiterated that something must be done on Pascack Road and the speed bumps before somebody gets hurt. Mayor Birkner agreed and stated again that the road will be repaved in 2013 but that the speed bumps are a different story. That is something the Council will have to vote on to see if they can be raised. The Mayor said Mr. Woods is going to provide additional traffic calming materials on those speed bumps that will make them more visible to approaching vehicles. The hope is that they will attract the attention of drivers. Mr. Lucius claimed this will not work now because drivers know they can go over the speed bumps at 20 or 30 miles an hour and not have any

damage to their car because the speed bumps are not high enough.

Mr. Lucius requested some type of recognition plaque or stone for Mr. Hegeman in Hegeman Park. Mayor Birkner advised that this will be put on Councilman Grefrath's agenda for the Recreation Board.

Hayden Smith, 45 Sand Road – spoke about how Hegeman Park has been and continues to be an eyesore. After Hurricane Sandy work should have been done and still has not been done on downed trees. Mr. Smith claimed that after the renovation in 1995 Hegeman Park has been neglected compared to all the other parks. Mr. Smith pointed out to the Council that Hegeman Park is being treated as if it's predominantly black. No one has looked to see that the color has changed and the park needs to be fixed. Mayor Birkner stated that he was offended by Mr. Smith's comments. Mr. Smith responded that he is offended by the way this government has been treating Hegeman Park.

Vivian Stubbs, 28 Sand Road – noted that when the speed tables were first put on Sand Road, the first thing in big print on the first of local papers was "residents not happy with the speed bumps". Mrs. Stubbs believes some consideration should have been taken. Residents should not have had to come back to the Council three times. She stated that now there's not even any timeline as to when there will be an answer. It's been two years yet from day one it was known that the residents weren't happy with the speed tables.

**Motion to close the Agenda/Public Forum:** Councilmember Miller

Second: Councilmember Grefrath

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

## **12. Presentation of Bills, Financial Reports and Resolutions:**

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately.

### **Resolutions as Consent Agenda:**

- a) **Resolution #13-32: Bill List & Statement of Cash**
- b) **Resolution #13-33: Authorizing Redemption of Tax Sale Certificate**
- c) **Resolution #13-34: 2013 Animal Shelter Contract with the County of Bergen**
- d) **Resolution #13-35: CDL Agreement 2013**
- e) **Resolution #13-36: Authorize Release of Performance Bond-Rainbow Academy/Greentree Developers, LLC**
- f) **Resolution #13-37: Authorize Reduction of Performance Bond-Hoff/Werner Subdivision**
- g) **Resolution #13-38: Amending Resolution #13-20 Appointment of Tax Assessor & Borough Attorney for Tax Appeal Matters**
- h) **Resolution #13-39: Acceptance of Bergen County's Mutual Aid Plan & Rapid Deployment Force**

**Motion to Move Resolutions 13-32 through 13-39:** Councilmember Grefrath  
Second: Councilmember Quinn

Roll Call: Councilmember Grefrath – Yes Councilmember Arroyo – Yes  
Councilmember Waneck – Yes Councilmember Miller – Yes  
Councilmember Quinn – Yes Council President Sciara – Yes

**13. Adjournment:**

**Motion to adjourn:** Councilmember Arroyo Second: Councilmember Waneck  
**Voice Vote:** A voice vote was taken with all present voting in the affirmative.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk