

**BOROUGH OF WESTWOOD
RESCHEDULED/SPECIAL
PUBLIC MEETING OF THE MAYOR & COUNCIL
JANUARY 27, 2014 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 special 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 Arroyo – Present
Councilmember Bicocchi – Present
Councilmember Grefrath – Present
Councilmember Miller – Present
Councilmember Sciara – Present
Council President Waneck – Present
Borough Administrator Hoffmann – Present
Borough Attorney Huntington – Present
Borough Clerk Hughes – Present

Committee Assignments:

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

3. Resolution #14 - 30: Executive Closed Session

Motion to adopt Resolution #14-30: Councilmember Arroyo Second: Councilmember Sciara

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes

Councilmember Grefrath – Yes Councilmember Miller – Yes

Councilmember Sciara – Yes Council President Waneck – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Miller Second: Councilmember Sciara

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

The time was 8:35 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Arroyo – Present / Councilmember Bicocchi – Present / Councilmember Grefrath – Present / Councilmember Miller – Present (left at 8:55 pm) / Councilmember Sciara – Present / Council President Waneck – Present / Borough Administrator Hoffmann – 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: November 12, 2013; December 3, 2013

Motion to adopt the November 12, 2013 Public Session Minutes: Councilmember Grefrath
Second: Councilmember Sciara

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Abstain

Councilmember Grefrath – Yes Councilmember Miller – Yes
Councilmember Sciara – Yes Council President Waneck – Yes

Motion to adopt the December 3, 2013 Work Session Minutes: Councilmember Grefrath Second: Councilmember Sciara

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

8. Proclamation Supporting Human Trafficking Awareness

9. Reports of Committees and Officials:

A) Mayor's Report

1) BCUA Rebate

Mayor Birkner reported that he is in receipt of a voucher from the BCUA for a \$5,928.19 sewer connection rebate. This is an increase from last year.

2) Cablevision Franchise Fee

Mayor Birkner reported that he is in receipt of the annual Cablevision franchise fee.

3) Snow Events

Mayor Birkner commended the DPW for keeping the streets clean and safe during the snow emergencies in the past few weeks.

4) Redevelopment

Mayor Birkner has met with the Borough Planner regarding the redevelopment of some properties in Westwood. The Planner has written a letter for the Governing Body explaining the process. Mayor Birkner would like to refer the matter to the Planning Board, who would designate the Planner to proceed with redevelopment. Mayor Birkner recommends not using condemnation. Another positive for redevelopment would be to enter into a PILOT agreement with a developer. Mayor Birkner will discuss this further at the next meeting.

5) Resolution #14 - 31: Westwood Volunteer Fire Department Matters of Personnel

Motion to adopt Resolution #14-31: Councilmember Sciara Second: Councilmember Miller

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes

Councilmember Grefrath – Yes Councilmember Miller – Yes
Councilmember Sciara – Yes Council President Waneck – Yes

Mayor Birkner administered the Oath of Office to the new Fire Department member, Elena Pietrocco, and Cadets Dajour Hanniford and Matthew Voorhis.

Councilmember Miller left at 8:55 pm.

B) Engineer's Report

1) Biweekly Report

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

2) Pistol Range Site Remediation Grant

Dr. Boswell explained that there is a \$305,000 grant pending from the DEP to remediate the pistol range. The state provides 75%, or \$229,000, and the Borough would provide 25%, or \$76,000. The law has changed and the Borough is now required to hire an LSRP. Boswell is certified and can be the LSRP for the amount specified in the grant. Council President Waneck noted the pistol range project grant has to be authorized, and asked if there is a date for that. Mr. Hoffmann said the money became available on January 6th, and the Borough would have to decide on accepting the grant in about 2 ½ months. Dr. Boswell pointed out that the Borough has to decide whether to spend \$76,000 to get \$229,000. The work would have to be done regardless of whether the Borough accepts the grant. Council President Waneck noted that nothing is done in a vacuum.

3) Third and Washington Intersection

Dr. Boswell said that the Police Department likes scheme 5 for the Third and Washington. He advised that there is no parking within 25 feet of a crosswalk, so with two crosswalks in that configuration there would be no parking spaces, despite the County's configuration for two parking spots. Council President Waneck asked if scheme 5 permits the greatest drainage. Dr. Boswell said he can design drainage around whichever scheme. Scheme 5 shortens the mouth of the intersection to give pedestrians a better chance to cross safely. Mr. Hoffmann asked if there is another way to lay out the crosswalks that would not impact the parking. Dr. Boswell said there is not enough room.

4) Environmental Monitoring

Council President Waneck asked when there would be results from the piezometers. Dr. Boswell estimates a few more weeks, as it is weather dependent. Mayor Birkner joked that it could take until April thanks to all the snow.

Council President Waneck asked if the garbage was picked up at 3b. Mr. Hoffmann said not yet. The Sheriff's Department will help, but there has to be no snow on the ground.

Councilmember Arroyo asked about the methane venting system for the concession stand. Dr. Boswell clarified that it is a detector system, not a venting system, as there is no methane in the concession stand. Should the system detect methane in the building, it will send a signal to the Police Department.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Finance Department Update

Councilmember Grefrath reviewed the budget meeting schedule. He explained that due to the Finance Department's switchover from the old year to the new, there is no bills list on this meeting. He announced that the electronic requisition process will start in February, with staff training on February 6.

b) Environmental Committee

Councilmember Grefrath has asked the High School to provide candidates for the student

member vacancies on the Environmental Committee.

c) Busgate

Councilmember Grefrath discussed his concerns with the bus stops. He noted that there is a resolution on the Consent Agenda regarding the Broadway bus stops, which require approval from the County. He reminded everyone that in November he spoke about the bus stops at Park and Third, which have been in use for 20 years as 'as hailed' stops. Until December there were four buses in the morning and at night. Now it seems by instruction from the Oradell bus depot they are either bypassing or not taking the same route, and buses are driving by or not going there at all. Councilmember Grefrath held up a map to illustrate the routes that have been taken for 20 years. Only 3 of the 10 stops on the route are official, the rest are 'as hailed'. He showed the new route, which doesn't pass by the municipal parking. Councilmember Grefrath has spoken to board members and executives of NJ Transit about getting the stops back. The Supervisor has been telling people that the town has told them to change the stops because it's unsafe. Councilmember Grefrath will propose permanent stops on Third. There are many scenarios for the impacted parking spots, but he will work out something beneficial. Councilmember Grefrath noted he gets many emails every day from concerned riders.

Mayor Birkner said he spoke to NJ Transit. He was not aware that any buses were continuing on Third. Councilmember Grefrath said there is one. Mayor Birkner was told they stopped running the route due to the reconfiguration of the roadway from Broadway onto Washington, which would put the bus on the tracks if there is traffic. The bus is now using First and Mill, and stopping at a temporary stop on Mill. Mayor Birkner said they discussed using Park once it is a two-way. There would be only four trips in the morning, before the library opens. It would keep the Third and Park stop. It's not definite, just a suggestion. Mayor Birkner was definitively told no buses are going up Washington. He agreed with Councilmember Grefrath that NJ Transit has to get it's act together.

2) Fire and Ambulance:

a) Fire Department Update

Councilmember Sciara reported that the Fire Department is very active recruiting new cadets and active member.

b) Ambulance Corps Update

Councilmember Sciara said the Ambulance Corps is also recruiting, and has a new cadet and new full time member named Kevin Baumann. Mayor Birkner thanked Councilmember Sciara for standing in to administer the oaths of office at the Ambulance Corps installation dinner.

3) Health and Recreation:

Mayor Birkner noted that Councilmember Miller left because he did not feel well.

4) Land Use:

a) Land Use Boards

Councilmember Bicocchi reported that the Zoning and Planning Boards reorganized. The chairmen remained the same, and both boards welcomed new members.

b) Historic Preservation Commission

Councilmember Bicocchi reported that the Historical Preservation Commission reorganized. There will be first reading for an ordinance tonight to allow the Chair to be based on residency, not member class.

5) Police and OEM:

a) Parking Authority Update

Councilmember Arroyo reported that the Parking Authority reorganized. The meter revenues for 2013 were up 2.2% over 2012, despite the loss of meters during the train signalization project. That is a positive sign that the business district is still a viable destination.

Councilmember Arroyo said there was some question about the \$45,000 annual payment from the Parking Authority. The agreement runs until 2023.

b) OEM Update

Councilmember Arroyo met with the OEM Coordinator to talk about 2014 priorities, one of which is to get the Community Center generator through the 100% reimbursable grant the Borough received. The generator will power the entire Community Center. The OEM Coordinator would also like to fit out the new office.

c) Police Update

Councilmember Arroyo met with the Police Chief and Administrator to review the Police budget request. Councilmember Arroyo received a tour of the Police facility. It's quite extensive but you wouldn't know it. A meeting of the Police Committee is scheduled for Thursday. The priority would be for new hires. An additional patrolman has notified that he intends to retire, and there may be another one.

Council President Waneck asked about moving forward on promotions.

Councilmember Arroyo said it was touched on briefly, but the Chief's priority was new hires.

Councilmember Arroyo said will have more information after Thursday's meeting.

6) Public Properties:

a) Shade Tree Update

Council President Waneck reported that Shade Tree's Mr. Cowie has met with the DPW secretary to train on the shade tree software. They can now move forward with updating the shade tree inventory. Council President Waneck explained that Shade Tree is no longer interested in being a commission but would like to look at other provisions from the ordinances they drafted. Council President Waneck will bring the Council's notes on the ordinances back to Shade Tree.

b) DPW Update

Council President Waneck advised that the DPW has two major pieces of equipment that require repairs, one is a salter, another for plowing. Both should be fixed before the next storm. There have been five snowstorms since December 10th. Most of the overtime has

been reimbursed by the County. Council President Waneck reminded residents that the Borough does have ordinances about clearing streets and sidewalks. Residents must remove snow within 12 hours of daylight after the snow finishes. Also, do not push snow into streets. When there is a snow event, do not leave your car on the street, as it makes plowing dangerous.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

1) Clay Tractor

Mr. Hoffmann explained that the Board of Education contacted the DPW Superintendent and Recreation Director about a joint purchase of equipment for maintaining clay on the infields. It will be discussed more at the work session, but the proposed tractor model is in the agenda book. It would be joint purchase. Mayor Birkner clarified that there would be two pieces of equipment, a tractor and tiller. Council President Waneck noted that the Board of Education was willing to do the work on all the fields. Mr. Hoffmann confirmed. Mayor Birkner pointed out that the Board of Education currently does some maintenance on all the fields. Mr. Hoffmann observed that it is a good shared services opportunity.

2) Hillsdale Fuel Fill-up

Mr. Hoffmann advised that Hillsdale has inquired about fueling its vehicles at the Westwood DPW. It would be an arrangement similar to the Board of Education's agreement. There is a resolution on the Consent Agenda authorizing negotiation to come up with details.

Councilmember Sciara asked the fuel capacity of the DPW tanks and how often they are filled. Mr. Hoffmann doesn't know the capacity, but the Borough will be able to accommodate the request. The limit under the DEP permit is 50,000 gallons. The Hillsdale arrangement would put the Borough at 800 gallons under its limit. Westwood would have to get the limit raised, and Hillsdale is willing to pay for the request to the DEP to get it raised.

Councilmember Sciara asked who else fills at the Westwood DPW. Mr. Hoffmann said the county bus no longer does. Councilmember Grefrath thought the County Police fueled there. Mr. Hoffmann will ask the Police Chief. Councilmember Sciara asked about the reporting system. Mr. Hoffmann said there is a monthly report generated, and the tracking system works well.

3) Train Signalization Costs

Council President Waneck asked if the train signalization project costs missing from the December worksheet would be provided at the next meeting. Mr. Hoffmann explained that costs are part of the agenda for the next train signalization meeting on January 29th. They will specifically discuss sprinklers, but will not be discussing as-builts as that is an end of project expense. Council President Waneck asked if mitigating the cost can be discussed. Mr. Hoffmann said this is something Boswell is supposed to provide at the end of the project. They won't be at the meeting. Council President Waneck asked Mr. Hoffmann to speak to Boswell about that. Council President Waneck asked about progress with the handicap ramps. Mr. Hoffmann said that is a Boswell item, as they inspect at the end of the project. Council President Waneck said the engineer has to sign off

on the pitch, which Dr. Boswell had said to discuss with Dewberry. Mr. Hoffmann said it was the county's opinion that this was not a responsibility of Dewberry. Council President Waneck asked if it was determined whether the Borough can do the sidewalk. Mr. Hoffmann said one was replaced, but he's not sure which one. Mayor Birkner said it would be addressed on Wednesday and an email sent out. Council President Waneck asked about removing the overhead lights. Mr. Hoffmann said he will get info from PSEG.

10. Agenda/Public Forum:

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

Ruth Nass, 539 Fairview Ave, Unit 210 – she is one of the commuters on Irvington and Broadway. Ms. Nass discussed all the problems that have been occurring. She sent a letter to NJ Transit, because as the daughter of a former bus driver she knows they are supposed to stop at every stop. It seems they are playing with the stops. Ms. Nass recommended the Borough enforce no buses on Center Avenue for safety issues.

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

11. Ordinances of First & Final Reading:

Ordinances on Introduction

14-1 An Ordinance Amending Chapter 195 Land Use, Article XXIII Historic Preservation

BE IT RESOLVED that Ordinance #14-1 entitled “An Ordinance Amending Chapter 195 Land Use, Article XXIII Historic Preservation” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a February 18, 2014 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Bicocchi

Second: Councilmember Grefrath

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes

Councilmember Grefrath – Yes Councilmember Miller – Yes

Councilmember Sciara – Yes Council President Waneck – Yes

12. 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. Resolution j was acted on earlier in the meeting.

Resolutions as Consent Agenda:

- a) **Resolution #14 - 32: Authorizing Refund of Taxes B701 Lot 14**
- b) **Resolution #14 - 33: Authorizing Refund of Taxes B701 Lot 6**
- c) **Resolution #14 - 34: Bergen County Law Enforcement Mutual Aid**
- d) **Resolution #14 - 35: Authorizing the Execution of Various Documents in Connection with the Bergen County Improvement Authority's Bergen Municipal Bank Program**
- e) **Resolution #14 - 36: Resolution Awarding Bid Lease Agreement for Co-Located Antenna Site**
- f) **Resolution #14 - 37: Establishing NJ Transit Bus Stops Along Broadway**
- g) **Resolution #14 - 38: Award of Contract for Removal of Architectural Barriers**
- h) **Resolution #14 - 39: Reassignment of Library Board Liaison**
- i) **Resolution #14 - 40: Appointment to Historic Preservation Commission**
- k) **Resolution #14 - 41: Fueling of Borough of Hillsdale Vehicles**
- l) **Resolution #14 - 42: Repairs to Emerson Road Pump Station**

Motion to adopt resolutions #14-32 through #14-42: Councilmember Grefrath

Second: Council President Waneck

Roll Call: Councilmember Arroyo – Yes Councilmember Bicocchi – Yes

Councilmember Grefrath – Yes Councilmember Miller – Absent

Councilmember Sciara – Yes Council President Waneck – Yes

13. Adjournment:

Motion to adjourn: Councilmember Sciara Second: Council President Waneck

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

The time was 9:40 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk