

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
FEBRUARY 19, 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 Waneck – Present

Councilmember Quinn – Absent
Councilmember Arroyo – Present
Councilmember Miller – Present
Council President Sciara – Present
Borough Administrator Hoffmann – Absent
Borough Attorney Huntington – Present
Borough Clerk Hughes – Present

Committee Assignments:

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

3. Resolution #13 - 59: Executive Closed Session

Motion to adopt Resolution #13-59: Councilmember Miller Second: Council President Sciara

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

4. Reopen the Meeting:

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

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

The time was 7:55 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Grefrath – Present / Councilmember Quinn – Absent /
Councilmember Waneck – Present / Councilmember Arroyo – Present / Councilmember Miller –
Present / Council President Sciara – Present / Borough Administrator Hoffmann – Absent /
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. Resolution #13 -60 : Appointment of Police Class 1 Specials

Motion to adopt Resolution #13-60: Councilmember Miller Second: Council President Sciara

Roll Call: Councilmember Grefrath – Yes Councilmember Waneck – Yes
 Councilmember Quinn – Absent Councilmember Arroyo – Yes

Councilmember Miller – Yes

Council President Sciara – Yes

Mayor Birkner administered the Oath of Office to Corey Rooney and Michael Agnello, assisted by Councilmember Miller and Chief Regino.

8. Resolution #13 - 61: Westwood Volunteer Fire Dept. Matters of Personnel

Motion to adopt Resolution #13-61: Council President Sciara Second: Councilmember Miller

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

9. Approval of Minutes: December 4, 2012 Work Session

Motion to adopt the December 4, 2012 Public Session Minutes: Councilmember Grefrath Second: Council President Sciara

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

10. Reports of Committees and Officials:

A) Mayor's Report

1) Revaluation

Mayor Birkner announced that the Borough has received an advisory from the County Board of Taxation that Westwood has been ordered to conduct a revaluation, to be effective in the 2014 tax year. The order has been sent to the Director of the Division of Taxation for approval. Mayor Birkner commented that this is not unexpected. The cost will impact this year's budget

2) HUMC Update

Mayor Birkner reported that the hospital held a job fair on February 18th. They are seeking to fill 300-350 positions and have been hiring local residents to do so.

3) Fun Run

The Westwood Regional School District has asked Mayor Birkner to participate in a 5K road race and one mile fun run on March 23rd. He will participate in the fun run and encouraged the Governing Body to participate as well, since the race benefits local families impacted by Hurricane Sandy. Applications will be in the Clerks office, Recreation Department, and Library.

B) Engineer's Report

a) Biweekly Report

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

b) Environmental Monitoring

Dr. Boswell informed that the DEP has agreed to the methane dispersal model. Mayor Birkner asked if this meant a new monitoring well. Dr. Boswell explained that all test results

indicated the methane dispersion was not adequate. Boswell is putting together a new model to address the methane. That is a separate issue from the regular monitoring, which is going well. Mayor Birkner asked if there is a threat to health and public safety. Dr. Boswell said only if the levels come in high enough for the lower explosion limit, but since it is dispersed and not enclosed it is not probable. Still, it needs to be addressed.

c) Broadway Resignalization/Madison and Park

Mayor Birkner asked when Dr. Boswell would need the Veterans Park drawings from Ed Sneickus to tie the park upgrades into the Madison and Park project. Dr. Boswell would like them within two weeks of this date.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Budget Update

Councilmember Waneck reported that the Governing Body held its first line-by-line budget meeting last Tuesday, and looked at all expenses by departments. She is nervous about the budget, since surplus and revenues are down, the state aid amount is not known yet, and there is now the revaluation order. Mayor Birkner observed that this year's budget is definitely tighter than any budget he's done in the past couple of years. Mayor Birkner added that there is no question, the budget has been pared down dramatically in past years, and there is no room any more.

b) Environmental Committee Report

Councilmember Waneck advised that the Environmental Committee is working on the Community Garden. She will speak to Mr. Hoffmann about staking the perimeter and ordering fencing. The committee is reviewing what other municipalities have done, and the agreements they have used for those who volunteer to work in the garden. They hope to go pesticide free. Council President Sciara asked about local colleges participating. Mayor Birkner said Ramapo College is interested in participating in Sustainable Jersey projects. He will get names and invite them to the Environmental Committee meeting.

2) Police and OEM:

a) OEM Update

Councilmember Miller said the OEM Deputy Coordinator interviews are scheduled for next week.

3) Fire and Ambulance:

a) Fire Department Update

Council President Sciara reported that the Fire Department will have the introductory class in swiftwater training this week. A swiftwater training drill will be held April 13th. United Water is paying for this for local departments. It will be offered in the spring and in October this year.

Mayor Birkner asked how the training is going at the FEMA purchased homes. Council President Sciara asked Chief Hodges to speak. The Chief described the upcoming drill on Harding Avenue, which will include pre-placed props for drilling on getting out

alive and managing a mayday. He has spoken to several residents in the area and most neighbors are supportive. Mayor Birkner is glad to hear that community outreach occurred and gives Chief Hodges high grades in diplomacy. Mayor Birkner asked if the Eagle Scout project dummies were utilized. Chief Hodges said they are being used and are very helpful. He thanked the Governing Body for their support.

4) Land Use:

a) Historic Commission

Councilmember Arroyo reported that the Historic Commission swore in a new member. They discussed the components of the certificate of appropriateness. Their professional will bring a draft to the next meeting.

b) Land Use Boards

Councilmember Arroyo informed that the Zoning Board will continue with the 7-11 application at the February meeting. He reviewed the status of the applications before the Planning Board. The Board is awaiting a proposal from Mr. Sneickus on drafting a cell tower ordinance revision.

The Zoning Officer is looking for direction regarding the growing number of properties where chickens are being raised. The ensuing discussion was for the birds, as chicken jokes abounded. Councilmember Arroyo will have additional information for the next work session.

5) Health and Recreation:

a) Recreation Update

Councilmember Grefrath advised that the Executive Director of GASP will be at March 5 work session to discuss banning smoking.

Councilmember Grefrath relayed the request from residents at the last Council meeting regarding a dedication rock or plaque at Hegeman Park, as well as the request for renovations of the park. There will be more discussion on both matters at future Recreation Board meetings.

The Recreation Director met with the sports presidents regarding lighting and field usage. They discussed peak time and usage, such as avoiding using lights in July and August. The Westwood Baseball president works for a company that sells energy, so he wants to review the costs. The sports groups want to see reports going forward so they can adjust schedules and keep costs down.

Girls Softball would like to build a soft cover on Field C to shade participants. They are also fundraising for bleachers for that field.

b) Board of Health Update

Councilmember Grefrath reported that the Board of Health also discussed the keeping of live poultry. The Board of Health would have to license and inspect facilities. They will be active participants in the ordinance process.

c) Technology Committee Update

Councilmember Grefrath said the Technology Committee has reviewed the draft computer

inventory spreadsheet and returned it to Mr. Hoffmann with suggestions.

d) Memorial Benches

Councilmember Grefrath thanked the press for running the story about the Memorial Benches being damaged. Families whose benches were damaged appreciated that the Mayor and Council will repair the benches. Councilmember Grefrath said the Voorhis family will install new bench at Voorhis Park. VFW Post 130 will take one of three Veterans Park benches that had not been sponsored.

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: Council President Sciara

Second: Councilmember Miller

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

No one wished to speak.

Motion to close the Agenda/Public Forum: Councilmember Miller

Second: Council President Sciara

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

12. Ordinances of First & Final Reading:

Ordinance for Introduction

13-4 An Ordinance To Amend Article XIV, Chapter 195, Section 121 RW Retail Wholesale District

Councilmember Arroyo explained that this ordinance will expand the permitted uses in the RW zone.

BE IT RESOLVED that Ordinance #13-4 entitled "An Ordinance To Amend Article XIV, Chapter 195, Section 121 RW Retail Wholesale District" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a March 19, 2013 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath

Second: Councilmember Waneck

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

Mayor Birkner commented that the ordinance is based on recommendations made by the Planning Board during the Master Plan reexam. Councilmember Arroyo observed that it is a zone that needs help and updating.

Ordinances for Adoption

13-1 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Borough Wide Road Improvements And Appropriating \$300,000 Therefor And Providing For The Issuance Of \$285,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same.

BE IT RESOLVED that Ordinance #13-1 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Borough Wide Road Improvements And Appropriating \$300,000 Therefor And Providing For The Issuance Of \$285,000 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 Waneck 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 Miller Second: Council President Sciara
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #13-1 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 Waneck Second: Councilmember Grefrath

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

13-2 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Upgrade Of The 911 System At The Borough Police Department And Appropriating \$130,000 Therefor And Providing For The Issuance Of \$123,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #13-2 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Upgrade Of The 911 System At The Borough Police Department And Appropriating \$130,000 Therefor And Providing For The Issuance Of \$123,500 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 Waneck 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 Waneck 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 #13-2 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 Waneck Second: Councilmember Grefrath
Roll Call: Councilmember Grefrath – Yes Councilmember Waneck – Yes
Councilmember Quinn – Absent Councilmember Arroyo – Yes
Councilmember Miller – Yes Council President Sciara – Yes

13-3 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing An Appropriation Of \$125,500 For Security Improvements Including Hardware And Software For Borough Hall Therefor And Providing For The Issuance Of \$119,225 In Bonds Or Notes Of The Borough Of Westwood to Finance The Same.

BE IT RESOLVED that Ordinance #13-3 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing An Appropriation Of \$125,500 For Security Improvements Including Hardware And Software For Borough Hall Therefor And Providing For The Issuance Of \$119,225 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 Waneck 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 Waneck 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 #13-3 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 Waneck Second: Councilmember Grefrath
Roll Call: Councilmember Grefrath – Yes Councilmember Waneck – Yes
Councilmember Quinn – Absent Councilmember Arroyo – Yes
Councilmember Miller – Yes Council President Sciara – Yes

13. 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. Councilmember Waneck asked Councilmember Grefrath if he had reviewed the bid specs for the copier leases. Councilmember Grefrath said no and removed resolution j from consideration.

Resolutions as Consent Agenda:

- a) **Resolution #13 - 62: Bill List & Statement of Cash**
- b) **Resolution #13 - 63: Revising Mayor and Council Bylaws**
- c) **Resolution #13 - 64: Appointment of Full Time Dispatchers**
- d) **Resolution #13 - 65: Authorization to Lease Police Vehicle**
- e) **Resolution #13 - 66: Authorizing Engineering Inspection for the 2013 Road Resurfacing Program**
- f) **Resolution #13 - 67: Renewal of Pascack Valley Cooperative Pricing System 107-PVCPS**
- g) **Resolution #13 - 68: Authorizing the Preparation of Specifications for the 2013 Municipal Road Paving Program for the Pascack Valley Cooperative Pricing System #107-PVCPS**
- h) **Resolution #13 - 69: Authorization to Bid 911 System and Security System**
- i) **Resolution #13 - 70: Authorize Bid Specifications for Vending Machines**
- k) **Resolution #13 - 71: New Jersey Utilities Emergency Preparedness Initiative**
- l) **Resolution #13 - 72: Opposing A1196**
- m) **Resolution #13 - 73: Opposition to the Approval Process for Non-SHBP Health Insurance Plans As Proposed By N.J.A.C. 5:30-18.1 through 18.4 and N.J.A.C. 6A:23A**
- n) **Resolution #13 - 74: Approval of Westwood Youth Football Application to Consume Alcoholic Beverages on Public Property**

Motion to adopt resolutions #13-62 through #13-74: Councilmember Miller

Second: Council President Sciara

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

14. Adjournment:

Motion to adjourn: Council President Sciara Second: Councilmember Miller

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

The time was 8:50 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk