

**BOROUGH OF WESTWOOD
WORK MEETING OF THE MAYOR & COUNCIL
FEBRUARY 5, 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 – Present
Councilmember Arroyo – Present
Councilmember Miller – Present
Council President Sciara – Present
Borough Administrator Hoffmann – Present
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 - 40: Executive Closed Session

Motion to adopt Resolution #13-40: Council President Sciara Second: Councilmember Miller

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 Miller

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 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 / 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

No report.

B) Engineer's Report

a) Biweekly Report

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

b) Madison and Park Improvements

Dr. Boswell reviewed the proposed change in the plans for Madison and Park. The original plan included 74 parking spaces. The revised plan would include 69 spaces but save the two trees. This plan would still provide 9 more parking spaces than there are now. Dr. Boswell confirmed for Mayor Birkner that there would be two ADA parking spaces. Councilmember Grefrath requested 9 spaces on Park Avenue be allocated for the Library. He noted that a future decision would need to be made on whether to meter the spots on Park. Dr. Boswell explained that Park will be a two way with a speed bump. Councilmember Grefrath suggested that since that section of Madison Ave will be circular within the park, the Governing Body might want to consider renaming it for a veteran. Councilmember Waneck pointed out that the Park and Madison redesign will incorporate Veterans Park improvements. Councilmember Grefrath confirmed that he will not be asking for additional money for the park this year. Dr. Boswell discussed the advantages of doing this as part of the larger County project, which saves on unit prices and construction inspection. The consensus is to go with the 69 spaces and save the two trees.

c) I & I Study-Implementation

Dr. Boswell reviewed the inflow and infiltration study. He suggested hiring a metering company at \$5500 for 8 weeks of metering. Boswell will then look at the problem areas, isolate them, then TV the lines for cracks. The lines would either be lined or replaced. Dr. Boswell observed that based on the water use of the homes, the extra water is coming from rainfall. Mayor Birkner asked about smoke testing. Dr. Boswell recommends a flow test first, which is more definitive. He said no true problems were identified in the study. Councilmember Waneck voiced concern about commercial establishment. Dr. Boswell said while there are a few, in terms of real numbers it is not a lot of money. He suggested looking at the long stretches of pipe that have infiltration, which equates to hundreds of thousands of gallons a day at a thousand dollars per million gallons of flow. The cracked pipes are the areas to address for significant savings. Mr. Hoffmann reviewed the amount of water provided by United Water vs. the BCUA treated gallons. Dr. Boswell is looking to address 180 million gallons to save \$180,000. Metering will show whether it's worth it to address infiltration. Mayor Birkner asked about inflow from leasers, gutters and sump pumps. Dr. Boswell said metering will pick it up. Mayor Birkner asked the difference between repairing pipes and an ordinance on inflow. Dr. Boswell said inflow can be addressed legislatively for minimum cost, but it will aggravate people. Infiltration would be solved through construction. The metering study would determine feasibility and cost. Councilmember Waneck would like to still address the properties that the study showed are above average. Dr. Boswell suggested just charging them what it costs the Borough to treat the water. Councilmember Arroyo asked if there is a difference in linear foot cost between replacing and sleeving. Dr. Boswell replied half to quarter, depending on the depth.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Appointment to the Environmental Advisory Committee

Councilmember Waneck noted there is a resolution on the consent agenda to appoint Ms. Muroski to the Environmental Committee.

b) Budget Update

Councilmember Waneck gave an update on the status of the budget. She noted the three capital ordinances on the agenda and asked the Governing Body to think about whether they are comfortable with spending on these capital items at this time. Councilmember Waneck advised that the CFO is identifying current revenue and potential areas for revenue. She explained the dedication by rider for snow removal, which takes it out of the cap. Councilmember Waneck asked everyone to be prudent about approving requisitions for purchases.

2) Police and OEM:

a) OEM Update

Councilmember Miller reported that OEM is planning on using half of the storage room off of the upstairs conference room as an office. He advised that the interviewing of deputy candidates is moving forward. The OEM Coordinator is pursuing a CERT team. Councilmember Quinn asked how many people are interviewing. Councilmember Miller said there are 10 people for interviews.

b) Library Update

Councilmember Miller reported that the library lobby renovation project is anticipated to begin in March. There should be no impact on the library hours, or perhaps a limited amount of closure time. The project objective is to save heat, reduce noise, and make the library more attractive.

Councilmember Miller announced that Taste of Westwood will be June 2nd.

Mayor Birkner commented that he attended the library's Green Screen opening with Councilmember Grefrath. There were about 175 people in attendance, showing how much the project has grown. There was a reception at a local restaurant afterwards.

c) Police Update

Councilmember Miller advised that interviews are being scheduled for two Police Specials. The Chief is moving forward with interviews for two full time dispatchers.

3) Fire and Ambulance:

No report.

4) Public Properties:

a) Heritage Society

Councilmember Quinn will check on the date of Westwood Pride Day when she meets with the Heritage Society tomorrow.

5) Land Use:

a) Appointment to the Historic Preservation Commission

Councilmember Arroyo informed that the Historic Preservation Commission would meet on

Wednesday, February 13th to discuss the certificate of appropriateness.

b) Land Use Boards

The Planning Board held its reorganization meeting. Burgis Associates is drafting a proposal for revising the cell tower ordinance. Councilmember Arroyo will meet with Councilmember Quinn to review what else needs to be done from the Master Plan.

Zoning is working on escrow procedures.

Councilmember Arroyo reported on the February 4th Zoning Board meeting.

6) Health and Recreation:

a) Westvale "A" Field Drainage

Councilmember Grefrath advised that the "A" field renovation had to be put off due to the storm. The Recreation Director has noted that repairs are better done in the fall than spring. Councilmember Grefrath is recommending using the building and fees trust account fund to pay for it. Councilmember Waneck pointed out that discussion was held on using that fund for other things. It can be discussed further as part of the budget.

b) Smoking on Borough Property

Councilmember Grefrath reported that Recreation is recommended a smoking ban in all parks and buildings, which the Health Department endorses. The Governing Body determined they are willing to have someone address them on the matter.

c) Hegeman Park

Councilmember Grefrath said he is working on the resident request from the January meeting to install a rock or plaque of recognition at Hageman Park. Residents had also requested the park be renovated. The Recreation Director said it is due, and will bring it up with the Recreation Board. He will also update the park renovation list. Councilmember Waneck requested costs for the budget or it will have to be done next year.

d) ByLaws Amendment

Councilmember Grefrath reviewed the bylaws amendment concerning composition of the finance and personnel committees. He asked if there were any questions. The revised bylaws will be on the next agenda for adoption.

e) Parking Authority

Councilmember Grefrath reported that the Parking Authority is looking to implement recommendations from the 2008 study. He has asked why there is no ADA parking in front of the post office, but has received no answer.

f) Memorial Benches

Councilmember Grefrath advised that four benches in Veterans Park have been damaged by skateboards. Mr. Woods is trying his best to repair them, but two may need to be removed and sent back for repairs. Mayor Birkner asked how to be sure it's skateboard. Councilmember Grefrath said skateboarders told him they can identify it. Councilmember

Grefrath asked the local papers to pick up the story. He was never in favor of cameras in the bandstand, but is now becoming in favor of it. Mr. Huntington asked if the benches were vandalized or used for tricks. Councilmember Grefrath thinks they were used for tricks. Mr. Huntington suggested making them untrickable for skateboards. Councilmember Grefrath said Mr. Woods is looking into it.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

a) Sample Resolution to Improve Reporting of Utility Outages

Mr. Hoffmann pointed out that the utility outages reso is on the consent agenda.

b) Road Paving Ordinance, Municipal Complex Security Upgrade Ordinance

Mr. Hoffmann noted the ordinances on the agenda for introduction.

c) Healthy Vending

Mr. Hoffmann reviewed the information on healthy vending. This will include the DPW break room. Mayor Birkner pointed out that it gives the Borough some control over vending concessions. Mr. Hoffmann said if the dollar amount is high enough the Borough would go out to bid the concession.

d) Pascack Valley Shared Services Goals & Objectives

Mr. Hoffmann asked the Governing Body for input on the Pascack Valley Shared Services goals and objectives. Councilmember Waneck asked if any are new. Mr. Hoffmann said item 6, 8, 10 are new. Councilmember Waneck said the leaves not new. Mayor Birkner said it was never addressed. Councilmember Waneck wondered if it was all the same items whether that meant they hadn't moved forward. Mayor Birkner said they move. The question is how does Westwood want to see them prioritized. Mr. Hoffmann reviewed the status of the items.

e) Chapter 78 Proposed Regulations

Mr. Hoffmann explained how the Chapter 78 proposed regulations would affect the Borough's health insurance. The Borough would have to get approval from the State to use private insurance as opposed to the state health benefits plan. Mr. Huntington summarized that this will force everyone to use the SHBP. Councilmember Waneck noted that the Borough's group insurance is going up 14% this year

f) Authorize Acquisition of Next Property on FEMA List

Mr. Hoffmann stated another house could be purchased under the FEMA grant. Mayor Birkner observed that the Borough has spent \$1.1 million so far but there is still money available to purchase the additional house. Council President Sciara specified that the Borough has used FEMA and Green Acres funding. Councilmember Miller remembered how the first round was painful, and asked if this round would be the same. Mr. Hoffmann speculated that while it will be painful it may not take as much time. Councilmember Waneck noted that a lot of the work is already done. Councilmember Miller said then he should not

anticipate hearing that this round is as bad. Mayor Birkner would not make that assumption, since with FEMA changing rules the administration of the purchase could still be onerous.

g) Lead Agency Renewal PV Cooperative Pricing System-107 PVCPS

Mr. Hoffmann advised that the shared services renewal is due in April. The Governing Body would need to approve a resolution at the February 19 meeting.

h) A-1196 First Responders Workers' Compensation Bill

Mr. Hoffmann explained that the first responders workers comp bill is opposed by the JIF and MEL. It would include cancer as a claim for workers compensation despite how the cancer occurred. Mr. Huntington said it sets up presumptions that would bankrupt workers comp, since all cancer would be presumed to be work related. Mrs. Hughes will draft a resolution opposing the bill for February 19th.

i) Dad's Mobile Catering

Mrs. Hughes explained why the recommendation by the staff is that this application not be approved. Council President Sciara would like to support the staff recommendations to deny the application. Councilmember Waneck said the Borough needs to be more proactive in these matters.

8. Agenda/Public Forum:

Motion to open the Agenda/Public Forum: Councilmember Miller

Second: Council President Sciara

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

Ken Morton, representing Gordon Hampton – asked about Carver Avenue. Councilmember Arroyo said Mr. Hampton was advised to sit with the construction/zoning officer to review changes that might preclude the need for zoning. Councilmember Arroyo will follow up with Mr. Morton.

Gary Conkling, 406 Kinderkamack Ave – asked if the snow trust fund is out of cap. Mayor Birkner said yes. Councilmember Waneck clarified that it is out of the operating expenses, out of the 2% cap.

Mr. Conkling asked for a final tally on lights at the field from last year. Mayor Birkner guesstimated \$28,000. Mr. Conkling feels taxpayers should split the cost with users. Mayor Birkner said the Borough is looking at a fair way to reduce costs by analyzing the utilization of fields and needs of the organizations. Mr. Conkling asked if that meant reducing use of the fields. Mayor Birkner replied that it means reducing the use of lights. Mr. Conkling asked if users are being charged. Councilmember Waneck responded that it hasn't yet been determined.

Mr. Conkling commented on the parking at the dog park, which he feels is inadequate. He suggested enforcement against unsafe driving, and designated dog park spots in the lot.

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.

9. Ordinances of First & Final Reading:

Ordinances on Introduction

#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. A 5% Down Payment In The Amount Of \$15,000 Will Be Appropriated From The Capital Improvement Fund.

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. A 5% Down Payment In The Amount Of \$15,000 Will Be Appropriated From The Capital Improvement Fund.” is hereby introduced by title; and

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

Motion to pass the ordinance on First Reading: Councilmember Waneck

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

#13-2 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing An Appropriation Of \$126,220 For Improvements Including Equipment And Software Upgrades To The Borough’s 9-1-1 System Therefor And Providing For The Issuance Of \$119,900 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same. A 5% Down Payment In The Amount Of \$6,311 Will Be Appropriated From The Capital Improvement Fund.

BE IT RESOLVED that Ordinance #13-2 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing An Appropriation Of \$126,220 For Improvements Including Equipment And Software Upgrades To The Borough’s 9-1-1 System Therefor And Providing For The Issuance Of \$119,900 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same. A 5% Down Payment In The Amount Of \$6,311 Will Be Appropriated From The Capital Improvement Fund.” is hereby introduced by title; and

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

Motion to pass the ordinance on First Reading: Councilmember Waneck

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

#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. A 5% Down Payment Of \$6,275 Will Be Appropriated From The Capital Improvement Fund

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. A 5% Down Payment Of \$6,275 Will Be Appropriated From The Capital Improvement Fund.” is hereby introduced by title; and

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

Motion to pass the ordinance on First Reading: Councilmember Waneck

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

10. 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 q, r and s were added at this time.

Resolutions as Consent Agenda:

- a) **Resolution #13 - 41: Bill List & Statement of Cash**
- b) **Resolution #13 - 42: Authorizing Redemption of Tax Sale Certificate-#12-00010**
- d) **Resolution #13 - 43: Certificate of Redemption - #12-00003**
- e) **Resolution #13 - 44: Certificate of Redemption - #12-00013**
- f) **Resolution #13 - 45: Budget Transfers**
- g) **Resolution #13 - 46: Approval of Zion Lutheran Church Application to Consume Alcoholic Beverages on Public Property**

- h) Resolution #13 - 47: Approval of Emerson Girls Softball Application to Consume Alcoholic Beverages on Public Property**
- i) Resolution #13 - 48: Appointment to Historic Preservation Commission**
- j) Resolution #13 - 49: Appointment to Environmental Advisory Committee**
- k) Resolution #13 - 50: Dedication by Rider - Snow Removal Reserve Trust Fund**
- l) Resolution #13 - 51: 2013 Mobile Food Vendor License-Rainbow Catering**
- m) Resolution #13 - 52: Authorize Solicitation of Quotes for ADA Door Access at Borough Hall**
- n) Resolution #13 - 53: Endorsement of Community Development Project-Westwood Senior Citizen Program 2013-2014**
- o) Resolution #13 - 54: Temporary Budget Amendment Resolution for Inclusion of Capital Improvement Down Payments**
- p) Resolution #13 -55 : Temporary Capital Budget Adoption Resolution**
- q) Resolution #13 - 56: Authorizing Additional Purchase of Flood-Prone Property Under FEMA Grant**
- r) Resolution #13 - 57: Authorize Pilot Program for Healthy Vending Machines**
- s) Resolution #13 - 58: Denial of Mobile Food License**

Motion to Move Resolutions 13-41 through 13-58: Councilmember Grefrath

Second: Councilmember Waneck

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

11. 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 9:20 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk