

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
MARCH 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 – Present
Councilmember Arroyo – Present
Councilmember Miller – Present
Council President Sciara – Absent
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 - 97: Executive Closed Session

Motion to adopt Resolution #13-59: Councilmember Miller Second: Councilmember Quinn

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

4. Reopen the Meeting:

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

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

The time was 8:06 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 – Absent / 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. Certificates of Achievement, Cub Scout Pack 350

Westwood Cub Scout Pack 350 participated in and won the annual Klondike Derby. At Mayor Birkner's request, Cub Scout Ethan Haveman gave a report on what the Klondike Derby entails. The Pack members were presented with certificates of achievement.

8. Approval of Minutes: December 18, 2012 Public Meeting, 2012 Sine Die, 2013 Reorganization Meeting, January 15, 2013 Public Meeting

Motion to adopt the December 18, 2012 Public Session Minutes: Councilmember Grefrath Second: Councilmember Quinn

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

Motion to adopt the 2012 Sine Die and Reorganization 2013 Minutes: Councilmember Grefrath Second: Councilmember Quinn

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

Motion to adopt the January 15, 2013 Public Session Minutes: Councilmember Grefrath Second: Councilmember Quinn

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

9. Reports of Committees and Officials:

A) Mayor's Report

1) Westwood Drainage

Mayor Birkner explained how the outsourcing of recycling freed up the DPW staff for other projects. They recently did a drainage project at Westvale to deal with the water that was sheeting across the walkway. They trenched a small area and filled it with stone to create a cutoff drain. There was minimal cost to the Borough and it took a half day's work for the DPW crew. It makes a tremendous difference.

2) HUMC Update

Mayor Birkner discussed the planning between the Borough and the hospital for the grand opening of HackensackUMC North at Pascack Valley. May 18th will be the Community Day.

3) FEMA Purchases

Mayor Birkner announced that all three homes purchased through FEMA and Green Acres funding are completely removed. The Environmental Committee is working on landscape plans.

4) Woodcliff Lake Dam

Mayor Birkner had sent a letter to the DEP regarding the operation of the Woodcliff Lake dam, but has never heard back. He feels it is time for them to sit down with the Borough and discuss the matter. The Borough has not backed off the stance to mitigate the effect on flooding.

5) Fishing Tournament

There will be a cleanup of the Pascack Brook sponsored by Park Ridge on the same day as the Westwood/Hillsdale fishing tournament. Mayor Birkner said Westwood will try to coordinate with Park Ridge to participate by working on the Musquapsink. The goal is to bring awareness to the Pascack Brook and flooding issues.

B) Engineer's Report

a) Biweekly Report

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

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects: CW

a) Environmental Committee

Councilmember Waneck advised that the Environmental Committee is moving forward with the plans for a Community Garden. There will be about thirty 4x8 plots. They are under budget for the fencing and garden boxes. The Environmental Committee is putting together rules and regulations for participating. After the next meeting they will start soliciting volunteers. The garden should be ready to go by June 1. The Committee will be looking for volunteers to assemble the boxes, such as Boy and Girl Scout troops. Mayor Birkner suggested doing it on April 20, Earth Day. Councilmember Waneck said they won't be ready that soon.

b) Budget Overview

Councilmember Waneck gave the following remarks:

“Tonight we are introducing the 2013 Municipal Budget.

The total budget being introduced for 2013 is \$16,815,478, an increase of \$310,054 over last year's adopted budget of \$16,505,424, or a 1.88% increase. The proposed budget is under the state mandated allowable appropriation CAP.

Once again our volunteers, department heads, boards and employees are being asked to do more with less. Despite a strong 98.67% collection rate on taxes, our overall revenue decreased. The decrease is primarily the result of a decrease in cable franchise fees, construction fees, and police outside detail fees. Our state aid remains constant. The proposed 2013 budget is utilizing \$1,485,000 of the current fund surplus.

In January, the Governing Body was presented with an operating and expense budget request of \$6,935,159, which reflected over a 12% increase. The Governing Body met and continued to review the budget as they have in the past, line by line, and every department was looked at for cost savings. The Governing Body cut \$661,963 dollars from this portion of the budget for an increase of only 1.68% in operating expenses.

In addition, we were presented with Capital expenditure requests totaling \$2,463,980, which the Governing Body cut to \$1,378,250. The cut included not following our road resurfacing program for local roads, but instead focusing our funds on the costs associated with finishing the Broadway, Irvington and Jefferson Road and Re-signalization project and addressing town gridlock issues. The proposed budget includes an appropriation of funds to pay down \$1,330,433 of existing debt. Therefore we will almost break even on incurring and paying off debt this year.

Unfortunately, when the non-discretionary budget which includes contracted salaries, pensions and statutory expenditures accounts for 67% of our expenditures, it leaves this Governing Body with only 33% of the budget to work with in order to reduce our budget to a level that we believe is acceptable to us and the taxpayers.

Our 2013 proposed tax levy of \$12,343,628 increased by \$244,889 which translates into the municipal tax rate increasing from .699 to .720, or an increase of \$84 per year on an average home assessed at \$398,000. This increase equates to approximately \$7.00 per month. It should be noted that, as a result of numerous tax appeals which decreased the Borough's assessed valuation by 17.7 million, the average taxpayer was going to pay \$28 more before the 2013 budget development process was even initiated.

Please keep in mind that the budget introduced tonight represents only the municipal portion of your tax bill. The remainder of the tax bill includes the school and county adopted budgets. The municipal portion of a tax bill was 30% in 2011 and 27% in 2012. When the County introduces its budget we will be able to provide you with the municipal portion for 2013.

I would like to thank all of the people who played an important role in developing this difficult budget, including our Finance Department CFO Durene Ayer, Stephanie Stokes and Gloria Seidel. Our Finance Committee, Councilman Peter Grefrath, Mayor Birkner and Bob Hoffmann; Borough Auditor Gary Vinci; and the department heads and municipal staff who made informed and necessary budget reductions within their groups. I would also like to thank the entire Governing Body who were called upon several times to meet and make difficult decisions.

The public will have an opportunity to review this budget and comment in full at our public hearing on April 16th at 8:00, here in Borough Hall."

Mayor Birkner thanked Councilmember Waneck for all her great work. He said she was exemplary in her diligence and performance.

c) Introduction of Ordinance # 13-6: An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

BE IT RESOLVED that Ordinance #13-6 entitled "An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an April 16, 2013 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Waneck

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath – Yes Councilmember Waneck – Yes

Councilmember Quinn – Yes Councilmember Arroyo – Yes

Councilmember Miller – Yes Council President Sciara – Absent

d) **Resolution #13 - 98: Introduction of 2013 Municipal Budget**

Motion to adopt resolution #13-98: Councilmember Waneck

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath – Yes Councilmember Waneck – Yes

Councilmember Quinn – Yes Councilmember Arroyo – Yes

Councilmember Miller – Yes Council President Sciara – Absent

2) **Police and OEM:**

No report.

3) **Public Properties:**

Councilmember Quinn hopes that spring has finally arrived, since she is as tired of the snow as she knows the DPW is.

Councilmember Quinn reiterated the Mayor's comments regarding Councilmember Waneck's outstanding job with the budget.

4) **Land Use:**

a) **Historic Commission Update**

Councilmember Arroyo reported that the Historic Commission reviewed the draft of the certificate of no effect, which will now be sent to the Zoning Officer for his comments.

b) **Land Use Boards Update**

Councilmember Arroyo informed that the Planning Board discussed changing the sign ordinance. Resident Koch was helpful as an expert on the matter. They also discussed the pending ordinance regarding impervious coverage and garages. The final ordinance language should be ready for the next work session. The Planning Board is waiting to discuss the cell tower ordinance until the budget for it is finalized. New members will attend land use symposiums in a few weeks to obtain the certification that is required.

6) **Health and Recreation:**

a) **Recreation Update**

Councilmember Grefrath reported that the Recreation Director organized a presentation on lightning detection systems. The school district may be interested in participating, but Washington Township is not. The base station would be located at the municipal complex. Mayor Birkner will reach out to Washington Township elected officials about participating.

The Administrator received the sample ordinance from GASP regarding smoking in public parks and buildings. Discussion will be held at the next meeting.

Councilmember Grefrath reviewed the summer concert schedule.

The Recreation Director has informed Councilmember Grefrath that \$19,000 will come in over the next 6 weeks for rentals of the gym.

The Egg Hunt is March 30.

b) Board of Health Update

Councilmember Grefrath advised that the Health Director is working on scheduling bloodborne pathogen training. In order to comply with PEOSHA the Health Department will have contract with NE Bergen for \$300 to give the class. This qualifies Westwood to attend other classes. Training will be available on line starting in July.

c) Parking Authority Update

Councilmember Grefrath explained that the Chamber of Commerce is requesting space in a municipal lot for a farmers market. Councilmember Grefrath spoke to Chair Francis Costello, and the Fairview Avenue lot may be feasible. It will be discussed at the next Parking Authority meeting on March 26th.

d) Technology Committee

Councilmember Grefrath advised that the Technology Committee is reviewing the computer spreadsheet. Mr. Hoffmann has suggested purchasing upgraded software. The Borough may be able to contact the County or Board of Education for a joint purchase. Meanwhile, the Borough is actively working on its computer inventory, so purchases and repairs are on hold. The Technology Committee has also made comments on the RFP for IT services.

The Westwood schools have gotten back to the Borough on utilizing their IT staff. They are taking a pass now but are willing to talk in the future about being the Borough's IT consultants.

e) Bandstand Roof

Councilmember Grefrath is still working on details regarding the bandstand roof.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

No report.

10. Agenda/Public Forum:

Motion to open the Agenda/Public Forum: Councilmember Miller

Second: Councilmember Grefrath

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

Ed Gross, 4 Goodwin Terrace, Chair of Bergen County Coalition to Prevent Gun Violence - read the resolution that he is asking the Governing Body to consider. Mayor Birkner thanked him for coming forward with this issue. He agrees with the resolution, and will take it up at a work session for discussion. Mayor Birkner already is a participating mayor in the Mayors Against Gun Violence group.

Motion to close the Agenda/Public Forum: Councilmember Waneck

Second: Councilmember Grefrath

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

11. Ordinances of First & Final Reading:

Ordinances for Introduction

13-5 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For A Special Emergency Appropriation Of \$300,000 For The Preparation And Execution Of A Mandatory Complete Program Of Revaluation Of Real Property For The Use Of The Local Assessor Of The Borough Of Westwood, In The County Of Bergen, New Jersey

BE IT RESOLVED that Ordinance #13-5 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For A Special Emergency Appropriation Of \$300,000 For The Preparation And Execution Of A Mandatory Complete Program Of Revaluation Of Real Property For The Use Of The Local Assessor Of The Borough Of Westwood, In The County Of Bergen, New Jersey” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an April 2, 2013 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Waneck

Second: Councilmember Grefrath

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

Ordinances for Adoption

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

BE IT RESOLVED that Ordinance #13-4 entitled “An Ordinance To Amend Article XIV, Chapter 195, Section 121 RW Retail Wholesale District” having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Arroyo Second: Councilmember Waneck

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 Arroyo 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 #13-4 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 Arroyo Second: Councilmember Waneck

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

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 n and o were added at this time. Resolution m was removed for separate consideration.

Resolutions as Consent Agenda:

- a) **Resolution #13 - 99: Bill List & Statement of Cash**
- b) **Resolution #13 - 100: Canceling Resolution #13-54 Temporary Budget Amendment #1**
- c) **Resolution #13 - 101: 2013 Temporary Budget Amendment #2**
- d) **Resolution #13 -102: Temporary Capital Budget Amendment**
- e) **Resolution #13 -103: Budget Reserve Transfers 2012**
- f) **Resolution #13 - 104: Authorizing Refund of Taxes B2001 L64**
- g) **Resolution #13 - 105: Abatement of Taxes B907 L21**
- h) **Resolution #13 - 106: Hire of Per Diem Police Dispatchers**
- i) **Resolution #13 - 107: Westwood Fire Department Matters of Personnel**
- j) **Resolution #13 - 108: Approval of Fire Department Bylaws Amendment**
- k) **Resolution #13 - 109: Authorizing the Mayor to Sign an Agreement Regarding the Broadway Intersection Improvements Project**
- l) **Resolution #13 - 110: Authorization to Issue RFP for Payroll Services**
- n) **Resolution #13 - 111: Approval of the Community Hospice of Bergen County to Consume Alcoholic Beverages on Public Property**
- o) **Resolution #13 - 112: Opposing A3553**

Motion to adopt resolutions #13-99 through #13-112: 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 – Absent

- m) **Resolution #13 - 113: Approval of the Community Hospice of Bergen County to Consume Alcoholic Beverages on Public Property**

Motion to adopt resolution #13-113: Councilmember Grefrath
Second: Councilmember Waneck

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

13. Adjournment:

Motion to adjourn: Councilmember Miller Second: Councilmember Quinn
Voice Vote: A voice vote was taken with all present voting in the affirmative.
The time was 9:05 pm.

Attest:

(signed) Karen Hughes
Karen Hughes, RMC, Borough Clerk
Proofed by: Denise Holmes, Deputy Clerk